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HOUSE OF COMMONS DEBATES

SECOND SESSION—SECOND PARLIAMENT

37 VICTORIA

VOLUME VII

COMPRISING THE PERIOD
FROM THE TWENTY-THIRD DAY OF OCTOBER, 1873
TO THE SEVENTH DAY OF NOVEMBER, 1873

SPEAKER: THE HON. JAMES COCKBURN

Foreword

The Second Session of the Second Parliament opened in Ottawa on October 23, 1873 with the Speech from the Throne. The entire session was given over the debate on the Throne Speech, which was in fact an extended debate on the Pacific scandal and ended with the resignation of Macdonald and his Ministry. In this seventh volume of the reconstituted debates of the House of Commons, Canadians can witness for the first time in published form an extraordinary and tumultuous period in our history, paralleling our growth as a nation.

The Second Session opened with six new members representing Prince Edward Island, which had joined Confederation the previous session. By-elections had changed the composition of the House somewhat, of most interest perhaps the election of Louis Riel in Provencher. In the Throne Speech, Governor General Lord Dufferin departed from established practice, and at once charged the government to deal with the Pacific Railway question, left over from the first session at prorogation, and to go forward with building a transcontinental railway. He also read into the record extensive correspondence with the Imperial government on related issues, such as the Oaths Bill, famously disallowed by Her Majesty. These documents have been reproduced in part in this volume; complete versions are available in the *Journals of the House of Commons*.

The rest of the session is devoted to debate on this Throne Speech, and includes fiery, extensive speeches on the part of the government (Sir John A. Macdonald) and the opposition (the Hon. Alexander Mackenzie). In the end, on November 5, Macdonald resigned, Mackenzie formed a new government, Parliament was prorogued and in the ensuing election, early in 1874, the Conservatives were ultimately defeated.

My thanks are due to Sonia L'Heureux and her staff at the Library of Parliament for ensuring that this fascinating and pivotal era in Canadian Parliamentary history is now available to scholars and to all Canadians with the release - both in print, and yet more widely accessible, online - of this rich resource.

Hon. Andrew Scheer, M.P.
Speaker of the House of Commons
Ottawa, 2013

Preface

This is the seventh volume in the series of reconstituted debates of the House of Commons, and represents another milestone in the ongoing project to reconstruct the parliamentary record from 1867 to 1874. This project was initiated in the 1960s by Eric Spicer, Parliamentary Librarian at the time, to mark the country's Centennial.

From the early years of Confederation to 1875, when the House of Commons began to report its debates officially, speeches delivered in the House were reported in major newspapers of the day, notably the *Ottawa Times* and the *Toronto Globe*. Parliamentary librarians clipped the reports and preserved them in scrapbooks; these became known as the "Scrapbook Debates", and have provided most of the source material in producing the present volume.

Publication of this volume of the reconstituted debates, representing the Second Session of the Second Parliament, brings to light a period of parliamentary history presenting numerous precedents and insights for readers of Canadian political history. As Parliamentary Librarian, I take great pride in continuing this process of filling the gap in Canada's early parliamentary record.

I am grateful to the Honourable Andrew Scheer, Speaker of the House of Commons for his recognition of the ongoing value of this work. Thanks are due to Dr. David Farr, one of three eminent Canadian historians who over the years have painstakingly reconstructed this material from primary sources. Thanks also go to Lynn Brodie, Director General, Information and Document Resource Service, to our dedicated Library staff, and to our parliamentary partners for their support and invaluable contribution to the project.

Sonia L'Heureux
Parliamentary Librarian
Ottawa, 2013

Introduction

The two volumes of Debates of the House of Commons for 1873 are the sixth and seventh in the series being issued under the project to reconstitute the early debates of the House. They record a memorable year which saw two stormy parliamentary sessions and the fall of a government; and because of the historical continuity between those two sessions, uniquely in the series of reconstituted Debates these two volumes share a common introduction.

The project to reconstitute the early debates of the Canadian House of Commons began in the 1960s as a Centennial undertaking, initiated by the Parliamentary Librarian, Erik J. Spicer, and Professor Norman Ward of the University of Saskatchewan, a leading student of Parliament. Using the accounts prepared by journalists assigned to cover the debates for their newspapers, the editors appointed under the project sought to construct as balanced a report of the debates as possible. Admittedly their sources, notably the *Toronto Globe* and the *Ottawa Times*, were partisan and selective but by combining their accounts and drawing on other newspaper reports where they existed, it appeared possible to reproduce the debates in something like their original form. This has been the continuing objective of the plan to reconstitute the early House of Commons Debates.

It was not until 1875 that the House of Commons, under the prompting of a new Prime Minister, Alexander Mackenzie, authorized the official reporting of its debates, for the Second Session of the Third Parliament and all subsequent sessions. Thus newspapers supply the principal record for the proceedings of the House from 1867 to 1874. At the time the newspaper reports were clipped and pasted into large ledgers by the staff of the Library of Parliament. This record, the “Scrapbook Debates”, now yellow with age, has been used extensively by historians of this period. It offers an accessible window through which we can see the formative early years of the Dominion. These are important years, not simply for establishing the procedures of the new House of Commons, but for the larger tasks of nation-building now underway. They witnessed the inclusion of new provinces, both from the west and the east, into the British North American union, the beginnings of prairie settlement and the transcontinental railway, the adoption of tariff and revenue policies and the adjustment of the delicate relationship with the United States following the Civil War.

The “Scrapbook Debates” are largely drawn from two newspapers, the *Toronto Globe* and the *Ottawa Times*. The *Globe*, founded in 1844, the influential voice for the Grits or Reformers of Canada West, was, in the years after Confederation, the newspaper with the largest circulation in Canada. Its attention was naturally focused on the Reform members of the House of Commons from Ontario, especially their leaders, Alexander Mackenzie and Edward Blake. Its coverage of the debates was extensive: 14 columns of closely-printed type each day.

The *Times* was a much younger newspaper, established in Ottawa in 1865, on the eve of Confederation. Its editors, George and James Cotton, hoped to win the contract, when it was awarded, to publish an official Hansard. Thus they were particularly sympathetic to the parliamentary expressions of the party in power, the Conservatives under Prime Minister Sir John A. Macdonald. In 1870 and 1871 James Cotton published shortened versions of the reports of the debates in his newspaper for the use of members of the Commons. These volumes, the “Cotton Debates”, were purchased by order of the House for its members at the end of the 1872

session. Yet Cotton did not receive the contract for the official reporting of the debates when it was awarded in 1875. Although the *Times* had changed sides when the Mackenzie administration came to power, the new government justifiably harboured suspicions towards it. The *Times*, whose prospects had been dimmed by the failure to secure the Hansard contract, ceased publication in 1877. Its reports nicely complement those of the *Globe* in providing a reasonably full account of the early discussions in the House of Commons.

The “Scrapbook Debates” also contained occasional shorter extracts from other papers, principally the *Toronto Mail*. Montreal’s English-language newspapers, such as the *Gazette*, also covered the debates, although not on such a regular basis as the *Globe* or the *Times*. French-language newspapers largely ignored the parliamentary proceedings in Ottawa, although they sometimes reported the speech of a local member. (The fact that almost all the Commons debates in the early years after Confederation were conducted in English clearly contributed to the lack of interest in Quebec.) Maritime newspapers in Halifax or St. John showed the same lack of interest in the debates in Ottawa.

The first editor of the reconstituted House of Commons Debates was Professor P. B. Waite of Dalhousie University, whose work on the press and Confederation has become the standard source on the subject. He assembled volumes of the reconstituted debates for the first three sessions of the First Parliament (1867-1868, 1869, 1870). In his introduction to the first volume he laid down editorial guidelines that have been followed by subsequent editors in reporting the First Parliament’s fourth (1871) and fifth (1872) sessions, and now the two sessions of the Second Parliament of 1873. The most important of Professor Waite’s guidelines is the rule that editorial interventions into the text should be kept to a minimum. Spellings are corrected, whether in members’ names or geographical terms. Occasionally words that are clearly wrong, in the context of a passage, are replaced. Generally the longer version of a speech has been preferred on the grounds that it is probably closer to what was actually said in the House. Sometimes a speech has been reconstructed from two reports where this had made possible a clear and understandable text.

But however convincing the text of these reconstituted Debates may appear, it should be noted that it is not a verbatim account. Material was undoubtedly lost as speakers laboured their points well into the night and reporters’ minds wandered. This being said, the reconstituted House of Commons Debates for the two sessions of 1873, presented here in separate volumes, is probably the most balanced and objective account that can be put together of what was actually said in the House during that very partisan year.¹

Second Parliament, First Session from 5 March 1873 to 13 August 1873

The First Parliament of Canada had sat from 1867 to 1872. During this period the House of Commons grew from its original 181 members to 191 by the addition of Manitoba (1870) and

¹ For a fuller account of the editorial methods used in the reconstituted Debates project see the Introduction to the 1872 session of the House of Commons Debates. The background to the Debates project, together with a discussion of the Commons’ failure to authorize an official report of its deliberations, is found in David Farr, “Reconstituting the Early Debates of the Parliament of Canada”, *Canadian Parliamentary Review*, 15 (Spring, 1992), pp. 26-32.

British Columbia (1871). When the 1872 election was done and the First Session of the Second Parliament opened on 5 March 1873 the House had grown to 200 members. This occurred through the workings of sec. 51 of the British North America Act, which provided for a readjustment of Commons representation at the general election following each decennial census. The census of 1871 showed a population increase which entitled Ontario to six additional members, Nova Scotia to two and New Brunswick to one. (Quebec's representation was fixed by the Act at 65 and those of the other provinces were adjusted around the quotient provided by that figure.)

Thus the provincial representation at the beginning of the Second Parliament in March 1873 stood as follows:

Quebec	65
Ontario	88
Nova Scotia	21
New Brunswick	16
Manitoba	4
British Columbia	6
	<hr/> 200

A fairly high proportion of the members of the First Parliament came back to serve in the Second: approximately 60 per cent, or 114 out of the 190 members sitting at dissolution, were re-elected.² Of the 114 members re-elected, by one count 62 had previously been supporters of the Macdonald-Cartier ministry (ministerialists) and 52 had previously voted in opposition to its policies and measures. New, first-time members of Parliament elected in 1872 changed, but did not tip, the balance between the government and the opposition.

Although the Macdonald-Cartier Conservative government had preserved its majority into the Second Parliament, its support in the Central Canadian provinces was weakened following the 1872 election. In 1867 the federal Conservative coalition led by Macdonald had had the support of perhaps 49 of the 82 members elected in Ontario; when the Second Parliament opened in March 1873 it commanded only 40 Ontario seats out of 88. In Quebec the federal Conservative coalition in 1867 could count on the votes of as many as 46, in March 1873 somewhere between 38 and 45 out of province's fixed quota of 65 members, depending on the issue. In contrast the Liberal coalition in opposition swelled its federal representation from the Central Canadian provinces in 1872. In Ontario they had elected 33 out of 82 members to the First Parliament, but 48 out of 88 to the Second. In Quebec the opposition also gained some traction through the 1872 election; it maintained its 1867 level of 18 supporters elected, but in March 1873 could sometimes count on as many as 27 Quebec votes in the House of Commons.

However, the governing Conservative coalition had made up for its electoral losses in Central Canada in 1872 by enrolling new members from Manitoba and British Columbia, and had also gained supporters in the Commons, though not under the same party label, in the two Maritime provinces. After the 1872 election returns were in, the Macdonald-Cartier coalition, which in 1867 had elected by various counts between 102 and 108 supporters out of the 181 members of the first House of Commons, still could count in March 1873 on between 101 and 104 core

² Because of a disputed by-election during the 1872 session a Manitoba riding was vacant, and there were only 190 members in the Commons when the election for the Second Parliament was called.

supporters, and with the Maritime Liberals perhaps as many 123 votes, in the new 200-member House. The scattered opposition of 73 to 79 members to the government in the fall of 1867 had become a more organized opposition core of 75 to 78 members, and if the Maritime Liberals all defected from the government, as many as 99 votes in opposition in the House. While the opposition's support in the Commons was growing, Macdonald still held a working majority in the House in March 1873; but his position was not so secure as it had been before the general election of 1872.

Unfortunately the exact numbers of the supporters of the ministry and the opposition in March 1873 are difficult to determine. This is partly because a considerable minority of members (the "loose fish" in the political jargon of the time) might vote their conscience on any given issue, rather than the government or the opposition line. But it is also because one can only calculate political party standings in the early Canadian Commons with a healthy dose of scepticism. Parties were by no means the coherent disciplined bodies which they became later. In Central Canada the Rouges, Nationalists, Grits or Reformers of 1873 all more or less counted themselves Liberals; the Conservatives and Liberal-Conservatives, the self-declared partisans of Macdonald or Cartier, the old-style Baldwin Reformers and even a Conservative-Labour member usually stood with the governing Conservative coalition. These diverse labels either were unknown, or did not carry the same political meaning, to voters in the Maritimes. There, the test on the hustings in 1867 had been whether a candidate was for or against Confederation, and in 1872 was simply whether a member supported the government or opposed it. In fact most of the members elected as Liberals from the two Maritime Provinces in 1872 declared in the 1873 edition of the *Canadian Parliamentary Companion* that they supported the ministry of Sir John A. Macdonald. The same situation occurred in the two Western provinces, where the Macdonald government, as the promoter of the Pacific Railway, was seen as the key to the development of the region. Nine of the ten Western members in the 1873 House, whatever their party label, could usually be counted upon to support the ministry.

The Conservatives, probably because a number of their members had worked together in the first federal cabinet, displayed greater party solidarity than the Liberal opposition. Among the Liberals historic suspicions between the Reformers of Ontario and the Rouge members from Quebec still made cooperation a difficult exercise. Things improved when a leading Reformer from Ontario, Alexander Mackenzie, was chosen as the party's first parliamentary leader early in the 1873 session. Mackenzie assumed the post, filled for the first time, of Leader of the Opposition. Around him the opposition members came together, prepared to drive Macdonald and his colleagues out of office at the earliest opportunity. That opportunity came, sooner than had been expected, through the agency of the "Pacific Scandal" in the parliamentary sessions of 1873.

Macdonald's cabinet had survived the 1872 election with two casualties, neither of them fatal. The most serious was the defeat of Sir George-Étienne Cartier, Macdonald's principal partner, in Montreal East. However, with the elections in the West coming several weeks after those in Central Canada, it was possible to find a seat for Cartier in Manitoba. Louis Riel and another candidate were persuaded to step aside in Provencher and Cartier was elected by acclamation. Although still a member of the cabinet, he was not to sit in the Second Parliament. Afflicted with Bright's disease, he went to England for medical treatment and there he died on 20 May 1873. Cartier's death was the most serious personal loss in Macdonald's long career. Sir Francis Hincks, Minister of Finance since 1869, was defeated in Brant South in 1872 but was found a seat in Vancouver. He gave up the finance portfolio before the opening of the first session of 1873 and was succeeded by Samuel Leonard Tilley of St. John. One minister, Peter Mitchell, a

member of the Senate during the First Parliament, had resigned from the upper house, but he was elected member for Northumberland in 1872. He continued to serve as Minister of Marine and Fisheries during his transition from one chamber to the other.

There were further changes in the cabinet during the first half of 1873. Joseph Howe began the session as a member of the cabinet but resigned on 6 May 1873 to return to his native Nova Scotia as lieutenant-governor. Within weeks, on 1 June he was dead. Also, there were three new faces: Dr. Théodore Robitaille, appointed Receiver General on 30 January 1873; Hugh McDonald, who succeeded John O'Connor as President of the Privy Council on 14 June and went on to take Cartier's post as Minister of Militia and Defence, and Thomas N. Gibbs, member for Ontario South, who replaced Howe, after a brief interval, as Secretary of State for the provinces and Superintendent General of Indian Affairs on 14 June. None of the new faces was to make a mark in the Second Parliament. Of the 15 members of Macdonald's cabinet who participated in the First Session of 1873, Langevin, Tilley, Tupper and, to a lesser extent, Pope, stood at the Prime Minister's side as the principal spokesmen for the government in the Commons.

There were several by-elections during the First Session of the Second Parliament. One occurred in Durham West, a seat formerly held by Edward Blake. Blake had been elected in two Ontario ridings in 1872 and early in the new session decided to sit for Bruce South. Edmund Burke Wood, who had been an M.P. during the First Parliament as well as a colleague of Blake's in the Ontario government in 1871-1872, was elected in an early April by-election to fill the vacant second seat. One re-elected Quebec member, Hon. P. J. O. Chauveau, the former premier of the province, was appointed to the Senate shortly before the session opened and was replaced in a late March by-election by J. P. R. A. Caron. Also, M. H. Goudge took over the late Joseph Howe's seat in Hants in a by-election in July.

Electoral methods were a continuing bone of contention in the 1873 sessions. The opposition charged that Macdonald and his colleagues used the conduct of federal general elections by open voting rather than by secret ballot, and with different voting dates in different ridings rather than everyone voting on the same day, to gain electoral advantage. The general election of 1872 had been conducted according to this model. The secret ballot was still not required by law in that election. Writs for the election were issued on 15 July and were to be returnable by 3 September, but exceptions were made for the electoral district of Gaspé, with its scattered coastal communities, and for the far-flung riding of Chicoutimi and Saguenay, as well as for the seats in Manitoba and British Columbia. For these distant constituencies writs were returnable by 12 October. The Liberals had sought electoral reform in the First Parliament and returned to the subject in the Second, but their efforts were again unsuccessful. It was not until they had assumed office late in 1873 and had won a new mandate in the 1874 general election that the way was prepared for electoral change.

However, the end of dual representation, by which federal members could also sit in provincial legislatures, came into effect across the Dominion through the action of Parliament in the First Session of 1873. Although dual representation had never been allowed for Nova Scotia and New Brunswick, it had been permitted in the two Central Canadian provinces and in Manitoba and British Columbia. In the 1872 parliamentary session, for instance, there were twenty members of the House of Commons who were also members of provincial legislatures. From Quebec there were fourteen members who held seats in the Legislative Assembly, and four in the Legislative Council. Ontario had eight members who also sat in the Assembly in Toronto. Two of the three sitting members from Manitoba in 1873 were also members of the provincial

legislature, and Amor De Cosmos was a member for the Legislature in Victoria, and Premier of British Columbia, as well as sitting in the Dominion House.

The opposition railed against this practice, claiming that it allowed the government in Ottawa to influence improperly the legislatures of the provinces. Conservative administrations in Quebec and Ontario, they claimed, were too closely tied to Macdonald and his federal ministry. In 1871 Edward Blake and Alexander Mackenzie, the leading Liberal MPs from Ontario, had won seats in the Ontario legislature, their goal to oust the Conservative ministry of John Sandfield Macdonald. In this they were successful and Blake became the second Premier of Ontario on 20 December 1871. Under his direction the legislature passed an act abolishing dual representation for Ontario members. Its provisions took effect beginning with the 1873 opening of the federal Parliament. Blake and Mackenzie then abandoned provincial politics and won election only to the Dominion House in the general election of 1872.

In the meantime their supporters, emboldened by Ontario's act, sponsored a bill compelling members of local legislatures, in provinces where dual representation was not allowed, to resign their seats before becoming candidates for the Dominion Parliament. It became law as 35 Vict., cap. 15 (1873). This was a conditional prohibition whose operation was dependent upon prior action by the provincial legislatures.

The First Session of the Second Parliament then moved further and made the prohibition apply to all legislatures. David Mills, Liberal member for Bothwell, Ontario, was the prime mover of the Dominion legislation. It stated that no person who was a member of the legislative council or assembly of an existing province, or one created in the future, would be eligible to sit in the House of Commons. The act (36 Vict., cap. 2) applied to the election of new members of the House during the continuance of the present Parliament. Sitting members could continue to hold their provincial seats until the dissolution of the Second Parliament. This event occurred, sooner than anticipated, after the November fall of the Macdonald government, when the new Mackenzie ministry chose on 2 January 1874 not to return to the House for a Third Session, but to dissolve the Second Parliament and seek a strong mandate in a fresh general election. Thus from the opening of the Third Parliament in March 1874 dual representation was abolished across Canada. The only exception was for Dominion senators, who were allowed to be members of the legislative council of Quebec.

Mills also carried on a lonely struggle to make the Senate an elective body. On 7 May 1873 he spoke to his motion that the present Senate was an "unintelligible mimicry" of the British House of Lords. Mackenzie supported Mills' motion by urging the adoption of the United States model of an elected upper chamber. He was joined by other Reform members. The debate soon descended into partisan differences of the personalities appointed to the Senate and Tupper brought it to a close with a characteristically resounding defence of the current method of constituting the Senate. Mills' motion was defeated, 61-46, in a half-empty chamber.

The First Session of 1873 came eventually to be dominated by the opposition's charges that the Macdonald government had received campaign contributions from Sir Hugh Allan of Montreal in return for the award of the contract to build the Pacific Railway. This was the Pacific Scandal, the improper transaction (in the eyes of many Canadians) which would lead in the Second Session to the fall of the Conservative administration. But in spite of the government's understandable and increasing preoccupation with the issue, several important pieces of legislation were approved during the First Session of the Second Parliament.

Perhaps the most significant new legislation, in view of the successor role of the R.C.M.P. in national life, was the act to establish a police force in the Northwest Territories. Introduced by Macdonald as Minister of Justice, the act provided for a centralized federal force to bring order to the Red River and the vast territories lying to the west. The first detachment of the Northwest Mounted Police arrived at Fort Garry in August, to winter there before moving out on to the plains.

After a protracted dispute over the 1872 election in the constituency of Peterborough West, a revised controverted elections act, under which judges, rather than committees of the House, examined petitions arising from disputed elections, became law on 23 May. The controversial question of the New Brunswick school law was also taken out of Parliament, much to the government's relief, and referred to the British Empire's highest tribunal, the Judicial Committee of the Privy Council, sitting in London.

Another act provided for the assumption by the federal government of the debts accumulated by the provinces before Confederation. This act laid the basis for a national debt structure able to cope with the heavy costs of transportation improvement in the future. Perhaps not by coincidence, terms for the admission of Prince Edward Island, which had stayed out in 1867, were considered in May. These included a guarantee of ferry connections to the mainland and a railway, subsidized by the federal government.³ The new province, Canada's last eastward extension until the 1949 incorporation of Newfoundland, entered Confederation during the First Session of the Second Parliament, on 1 July 1873. An election for Prince Edward Island members would be held in the fall and they would sit in the Commons in the Second Session.

Yet discussion of these measures, important as they were, paled beside the energy and passion devoted to the Pacific Scandal. The consideration of the allegations about the railway charter began innocuously enough when the Liberal member for Shefford, Lucius S. Huntington, rose quietly in his place three weeks after the First Session had begun, to give notice of a motion bringing charges against the government. On 2 April Huntington declared that the government had entered into an improper association with Sir Hugh Allan and American associates for the award of the contract to build the Pacific railway. He moved for the appointment of a select committee to investigate the recent grant of the Pacific railway charter to Allan's company. The charges, expressed in a statement of only seven paragraphs, were not supported by any documentary evidence. The Macdonald government easily disposed of Huntington's motion by a majority of 31 votes.

But questions were raised in the country and on 8 April Macdonald moved that a select committee of the House be appointed to inquire into and report upon the Huntington charges. It would consist of five members: John Hillyard Cameron of Cardwell, Dr. J.-G. Blanchet of Lévis and James McDonald of Pictou (Conservatives) and Edward Blake of Bruce South and A.-A. Dorion of Napierville (Liberals). The committee was given the power to examine witnesses under oath by an Oaths Bill which was duly passed in the following weeks. The committee met for the first time on 5 May but decided not to proceed as Sir Hugh Allan was absent in England attempting to raise funds for his Pacific Railway company. Parliament itself adjourned on 23 May, agreeing to meet again on 13 August when, the opposition claimed, the committee would have an obligation to report its findings.

³ For discussion of the terms of entry of Prince Edward Island into Canada, see Frank MacKinnon, *The Government of Prince Edward Island*, Toronto: University of Toronto Press, 1951, chapter 6, "Confederation", pp. 120-140.

Then at the end of June the Oaths Bill was disallowed by the Imperial Government. The government majority on the committee held that as witnesses could not be sworn, there was no point in the committee proceeding with its work. After fruitless internal debate, the committee decided to suspend its operations until Parliament met on 13 August.

The period between 23 May and 13 August 1873 was a time of great political excitement in the country, as the Liberal opposition began to release documentary material to give substance to Huntington's charges. Seventeen damaging letters were published in the Toronto *Globe* and the Montreal *Herald* on 4 July detailing Allan's disbursements of \$360,000 to Conservative ministers in the recent election, and revealing the existence of the American backers of the railway syndicate from whom most of the money had come. Sir Hugh Allan attempted to put the best face on his involvement in an affidavit published on 6 July, but the effort was unconvincing. Then on 17 July testimony from one of Allan's American associates, G.W. McMullen, was published, together with further incriminating letters stolen from the office of Allan's solicitor, J.J.C. Abbott, member for Argenteuil. The Pacific Scandal became the overriding topic of discussion throughout the country.

The ensuing sitting of Parliament on 13 August 1873 was the most tempestuous in the young country's political history. Macdonald had advised the Governor General to prorogue the First Session of the Second Parliament, a step which would end the life of the Pacific railway committee. Ninety-two members, led by Richard Cartwright (Lennox), signed a petition urging His Excellency not to prorogue the House before it had been given a chance to undertake a full examination of the Pacific Scandal charges. Lord Dufferin, the Governor General, responded that he had no choice but to accept the advice of his Prime Minister. Alexander Mackenzie, as Leader of the Opposition, vainly sought to prevent the House from leaving its chamber and assembling in the Senate, from where it would be powerless to avert the Governor General's declaration of prorogation. Mackenzie took his stand on the rights of Parliament, claiming that "prorogation would inflict an unprecedented indignity on Parliament and produce great dissatisfaction in the country". But the Gentleman Usher of the Black Rod entered the Commons chamber with the Governor General's summons for the Commons to attend him in the Senate. The Speaker led about 35 Conservative members out of the House but Opposition members remained to protest the prorogation. They then adjourned to the Railway Committee Room to continue their denunciations of Macdonald and his colleagues. These deliberations of the rump of the Commons, continuing to meet after prorogation, were in fact reported in the press as part of the parliamentary record, and accordingly have been included as a unique historical witness in the reconstituted Debates of the First Session's stormy final day.

But Lord Dufferin was a Governor General who took the exercise of the duties and the prerogatives of the Crown very seriously. It was his constitutional responsibility to ensure that peace, order and good government reigned in Canada, and to this end, like previous governors, he played an active part in the deliberations of the Governor in Council, to the extent even of attending some cabinet meetings (a practice only definitively abandoned in the 1880s). The Macdonald government got its prorogation at a steep price. The prime minister had to agree to the naming an independent commission of inquiry, which would get to the bottom of the scandal and report prior to the convening of a Second Session of the Second Parliament in the fall of 1873. In a formal meeting of the Governor General in Council on 15 August, Dufferin and the cabinet duly appointed a royal commission of three retired judges under the Great Seal of Canada, to inquire into the circumstances connected with the award of the Pacific railway charter.

Unfortunately the royal commission's results were as unsatisfactory as those of the select committee had been. It began taking evidence on 4 September but much of the testimony was evasive and some of the principals in the drama, such as Huntington, refused even to appear before it. The commission's report, delivered on 17 October, recorded the evidence, but without comment. Its duties, the commission concluded, "were rather inquisitorial than judicial", and would be discharged by reproducing the various depositions and documents submitted to it. The Second Session would have to sort out the mess.

**Second Parliament, Second Session
from 23 October 1873 to 7 November 1873**

Before the new session began, there had been some changes in the complexion of the House. On 29 September 1873 six members were elected from the newly admitted province of Prince Edward Island. As a result, the provincial representation in October 1873 at the beginning of the Second Session of the Second Parliament stood as follows:

Quebec	65
Ontario	88
Nova Scotia	21
New Brunswick	16
Manitoba	4
British Columbia	6
Prince Edward Island	6
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There were also by-elections held either shortly before or during the Second Session. In September the New Brunswick seat of St. John (City & County), vacated by a death, was filled. Another Quebec member, J.H. Bellerose, was named to the Senate on 7 October and hastily replaced in a by-election on 28 October. More significant was the election of the Manitoba rebel, Louis Riel, from Provencher on 13 October, to replace the late Sir George-Étienne Cartier. Riel would not have time to take his seat in this Parliament, but his attempts to do so in 1874 would provoke the first major crisis of the Third Parliament.

When the Second Parliament finally met for its Second Session of 1873, the debate began in earnest on the opposition's charges in the Pacific Scandal. But first there had to be a Speech from the Throne, which opened the parliamentary session on Thursday, 23 October. Lord Dufferin's speech to the Senate and House of Commons assembled on this occasion was a tour de force, and procedurally unique. The Governor General charged Parliament to deal with the Pacific Scandal before even mentioning the government's legislative program, reported the surrender of the charter of the Canadian Pacific Railway Company, and urged a new course of action to satisfy the requirement of building a transcontinental railway as part of the Confederation promise to British Columbia. But Dufferin also provided a host of relevant documents to be read into the Commons record along with the Throne Speech itself, including his extensive confidential correspondence with the Imperial government in London. As published in the House of Commons Journals for that day, the Throne Speech and its documentation occupied 117 pages. The Throne Speech documents were extensively reported by

the press and have been partly reproduced from the Journals in these reconstituted Debates. An appendix to the Journals delivered the full report of the commission of inquiry, another 227 pages, not included here.

Unique also was the ensuing debate on the Speech from the Throne, which would never come to a proper end. From 27 October to 4 November the House was almost entirely concentrated on the issue of the Pacific Scandal, under the guise of its debate on the Throne Speech. Tupper, Hincks and Tilley stoutly defended the actions of the government, as did James McDonald of Pictou, who had served on the select committee. The Prime Minister delivered a five-hour address on 3 November, one of the great speeches of his career, in which he defended himself against the accusation that “he was a cross between Benedict Arnold and Judas Iscariot”. But the opposition was relentless and drew support from members, even friends of the government, in all corners of the House. Mackenzie, moving a vote of censure, spoke for three hours, followed by Huntington, Cartwright, Mills and the redoubtable Edward Blake. Most of the Prince Edward Island members declined to support the government, together with other representatives of Maritime ridings. The government held on to members from the Western provinces except for the influential Donald A. Smith of Selkirk, Manitoba. Smith delivered what was probably the *coup de grâce* to the ministry when he concluded: “he did not believe there was any intention to give the charter to Sir Hugh Allan as a consideration for his money; but on the other hand, to take money from an expectant contractor was a very grave impropriety”. Smith’s judgment, coming after many waverings and defections, represented the last straw for the government. On the following day, 5 November, Macdonald and his ministry resigned.

Alexander Mackenzie and 13 supporters were sworn in to form a new Liberal-Reform administration two days later. In accordance with the statute of the day regarding the independence of Parliament, they had accepted an office of emolument under the Crown and their seats at once became vacant until their return in by-elections. The new government, thus robbed in the House of its leading figures, had to stall for time and asked Lord Dufferin for a prorogation.

When Mr. Holton, who was not a member of the new cabinet, spoke for the Mackenzie government on 7 November in the House of Commons in response to Opposition leader Macdonald, the debate dissolved into procedural wrangling over House’s order for the arrest and detention a few days previous of an Ottawa alderman and Conservative supporter who had been accused by the then Liberal opposition of attempting to bribe one of its members to vote with the former government in the Throne Speech debacle. The point was academic, whether the imprisoned Alderman Heney should be released at once by the House to spare his reputation, or automatically upon the impending termination of the session by prorogation. Debate was cut short by the expected arrival of the Gentleman Usher of the Black Rod with his summons. The Second Session of the Second Parliament was duly prorogued, to await the result of by-elections.

The End of the Second Parliament from 7 November 1873 to 2 January 1874

What happened next is seldom told but was of considerable significance in the history of the Canadian Parliament. While Macdonald had lost support in the Commons to the point where his government was forced to resign during the debate on its own Throne Speech, the wily politician

had for years missed no opportunity to stack the Senate with loyal men. Indeed, Macdonald's cabinet during the Second Session had included no fewer than four Senators, whereas Mackenzie's new ministry initially had none. The new Liberal government could have met the Second Parliament again in a Third Session and perhaps commanded a working majority in the House. But the Senate, with its unelected Conservative majority, presented an obstacle to the Liberals' legislative program of reform. Prime Minister Mackenzie nominated George Brown to the one vacant Senate seat in mid-December, and on 23 December his cabinet approved an Order-in-Council asking the Governor General to advise the Queen to appoint six extra Senators, as provided under the British North America Act in the event of a deadlock between the two houses. Another prime minister more than a century later, with no higher master in London, would succeed in swamping Senate opposition to an unloved new tax in this way. But while Dufferin assented to the cabinet order, he delayed its execution so as to consult Whitehall for final approval. This he did only on 26 January 1874, when under changed political conditions Mackenzie's request to name extra Senators was refused by the Imperial government as hypothetical.⁴

The required by-elections had taken place between 25 November and 9 December 1873, and the voters had duly returned Mackenzie and all his ministers to the House of Commons. Serious opposition was not customary in the by-elections held to return to Parliament members unseated by being named to the cabinet, and in only two cases, both involving turncoat former supporters of the Macdonald coalition, did the Conservative party put up a fight. But the electorate was aroused by the Pacific Scandal, and voted the traitors back into their parliamentary seats with the rest of Mackenzie's cabinet.

Additional important seats in Toronto West and in Nova Scotia had also become available when the Macdonald government as its dying act had appointed supporters from the House to fill positions outside Parliament. In the consequent by-elections on 18 and 20 December 1873 the Liberal tide sweeping across Canada was confirmed. Buoyed by this electoral success, over Christmas Mackenzie decided, instead of calling a Third Session in the new year, to request a dissolution and a new general election in January, a course which Lord Dufferin had quietly been advocating since November. After less than ten months of existence, the Second Parliament of Canada came to an end on 2 January 1874.

A Parliament Like None Other

The resignation of the Macdonald government in 1873 is unique in Canadian political history. It has been the only occasion when a majority government has resigned through the defection of its own supporters, giving way to another party without a general election. The early election of winter 1874 allowed the country to pass judgment on Macdonald and his colleagues. It was a massive vote for censure. The Conservatives were defeated by a two-to-one margin, and Mackenzie had his strong majority and his mandate for the next four years.

⁴ The Order-in-Council was P.C. 1873 No. 1711, invoking section 26 of the British North America Act. Historical discussion in Welf Henry Heick, *Mackenzie and Macdonald: Federal Politics and Politicians in Canada, 1873-1878*, Thesis (Ph.D.: Duke University), 1965, pp. 52-53.

The Pacific Scandal was, and has remained, the most famous example of political misbehaviour in Canadian history. To many voters it appeared that Macdonald and his colleagues had betrayed the high hopes that had accompanied the achievement of Confederation. But to Sir John A. Macdonald, whom history has remembered as a nation-builder, the loss of office in 1873 was a check, not an irredeemable defeat. In just under five years he was back in power, resuming the task he had begun in 1867. In the election of 1872 Macdonald had prophesied: "Confederation is only yet in the gristle, and it will require five more years before it hardens into bone." He was to be given thirteen more years to continue with his life's task of consolidating his trans-continental Dominion

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Carleton University
Ottawa

in collaboration with

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THE MINISTRY

SECOND PARLIAMENT SECOND SESSION

FIRST MINISTRY – OCTOBER 23, 1873 TO NOVEMBER 5, 1873

Prime Minister, Minister of Justice and Attorney General	Hon. Sir John Alexander Macdonald
Minister of Militia and Defence	Hon. Hugh McDonald (resigned 4-11-1873)
Minister of Customs	Hon. Charles Tupper
Minister of Finance	Hon. Samuel Leonard Tilley
Minister of Public Works	Hon. Hector-Louis Langevin
Minister of Inland Revenue	Hon. Thomas Nicholson Gibbs
Minister of the Interior	Hon. Alexander Campbell ⁺
President of the Privy Council	Vacant
Minister of Marine and Fisheries	Hon. Peter Mitchell ⁺
Postmaster General	Hon. John O'Connor
Minister of Agriculture	Hon. John Henry Pope
Secretary of State of Canada	Hon. James Cox Aikins ⁺
Receiver General	Hon. Théodore Robitaille
Superintendent-General of Indian Affairs	Hon. Alexander Campbell ⁺

Following Macdonald's resignation on November 5, 1873 the Governor General invited Mackenzie to form a Government.

The Second Ministry assumed office on November 7, 1873. (Privy Council Office. *Guide to Canadian Ministries since Confederation*. <http://www.pco-bcp.gc.ca>)

+ Senator

THE MINISTRY

SECOND PARLIAMENT

SECOND SESSION

SECOND MINISTRY – NOVEMBER 7, 1873

Prime Minister and Minister of Public Works.....	Hon. Alexander Mackenzie
Minister of Justice.....	Hon. Antoine-Aimé Dorion
Minister without Portfolio.....	Hon. Edward Blake
Minister of Marine and Fisheries.....	Hon. Albert James Smith
Minister of Agriculture	Hon. Luc Letellier de St-Just ⁺
Minister of Finance	Hon. Richard John Cartwright
Minister of the Interior and Superintendent-General of Indian Affairs	Hon. David Laird
Secretary of State of Canada.....	Hon. David Christie ⁺
Minister of Customs.....	Hon. Isaac Burpee
Postmaster General	Hon. Donald Alexander Macdonald
Receiver General.....	Hon. Thomas Coffin
Minister of Inland Revenue	Hon. Télesphore Fournier
Minister of Militia and Defence	Hon. William Ross
Minister without Portfolio.....	Hon. Richard William Scott
President of the Privy Council	Vacant

⁺ Senator

NAMES OF MEMBERS IN ALPHABETICAL ORDER AND CONSTITUENCIES

Name of Member	Constituency
Abbott, Hon. John Joseph Caldwell	Argenteuil, Quebec
Almon, William Johnston	Halifax, Nova Scotia
Anglin, Hon. Timothy Warren	Gloucester, New Brunswick
Appleby, Stephen Burpee ¹	Carleton, New Brunswick
Archambault, Hon. Louis	L'Assomption, Quebec
Archibald, Cyril	Stormont, Ontario
Baby, Louis François Georges	Joliette, Quebec
Bain, Thomas	Wentworth North, Ontario
Baker, George Barnard	Missisquoi, Quebec
Beaty, James	Toronto East, Ontario
Beaubien, Louis	Hochelaga, Quebec
Béchar, François	Iberville, Quebec
Bellerose, Joseph-Hyacinthe ²	Laval, Quebec
Benoit, Pierre Basile	Chambly, Quebec
Bergin, Darby	Cornwall, Ontario
Blain, David	York West, Ontario
Blake, Hon. Edward ³	Bruce South, Ontario
Blanchet, Hon. Joseph-Godéric	Lévis, Quebec
Bodwell, Ebenezer Vining	Oxford South, Ontario
Bourassa, François	Saint-Jean, Quebec
Bowell, Mackenzie	Hastings North, Ontario
Bowman, Isaac Erb	Waterloo North, Ontario
Boyer, Louis Alphonse	Maskinongé, Quebec
Brooks, Edward Towle	Sherbrooke (Ville), Quebec
Brouse, William Henry	Grenville South, Ontario
Brown, James	Hastings West, Ontario
Buell, Jacob Dockstader	Brockville, Ontario
Burpee, Charles	Sunbury, New Brunswick
Burpee, Hon. Isaac ⁴	St. John (City & County), New Brunswick
Cameron, Hon. John Hillyard	Cardwell, Ontario
Cameron, Malcolm Colin	Huron South, Ontario
Campbell, Stewart	Guysborough, Nova Scotia

¹ Elected in by-election September 18, 1873

² Resigned upon appointment to Senate October 7, 1873

³ Named to the Ministry November 7, 1873, was re-elected in by-election December 4, 1873

⁴ Named to the Ministry November 7, 1873, was re-elected in by-election December 1, 1873

Name of Member	Constituency
Carling, Hon. John	London (City), Ontario
Caron, Joseph Philippe René Adolphe	Québec (Comté), Quebec
Carter, Edward	Brome, Quebec
Cartwright, Hon. Richard John ⁵	Lennox, Ontario
Casey, George Elliott	Elgin West, Ontario
Casgrain, Philippe Baby	L'Islet, Quebec
Cauchon, Hon. Joseph Édouard	Québec-Centre, Quebec
Charlton, John	Norfolk North, Ontario
Chipman, Leverett de Veber	Kings, Nova Scotia
Chisholm, Daniel Black	Hamilton (City), Ontario
Church, Charles Edward	Lunenburg, Nova Scotia
Cluxton, William	Peterborough West, Ontario
Cockburn, Alexander Peter	Muskoka, Ontario
Cockburn, Hon. James	Northumberland West, Ontario
Coffin, Hon. Thomas ⁶	Shelburne, Nova Scotia
Colby, Charles Carroll	Stanstead, Quebec
Cook, Herman Henry	Simcoe North, Ontario
Costigan, John	Victoria, New Brunswick
Crawford, John Willoughby ⁷	West Toronto, Ontario
Cunningham, Robert	Marquette, Manitoba
Currier, Joseph Merrill	Ottawa (City), Ontario
Cutler, Robert Barry	Kent, New Brunswick
Daly, Thomas Mayne	Perth North, Ontario
Davies, Daniel ⁸	King's County, P.E.I.
De Cosmos, Amor	Victoria, British Columbia
De Saint-Georges, Joseph Esdras Alfred	Portneuf, Quebec
Delorme, Louis	Saint-Hyacinthe, Quebec
Dewdney, Edgar	Yale, British Columbia
Dodge, Anson Greene Phelps	York North, Ontario
Domville, James	King's, New Brunswick
Dorion, Hon. Antoine-Aimé ⁹	Napierville, Quebec
Dorion, Pierre Nérée	Drummond—Arthabaska, Quebec
Dormer, George	Victoria South, Ontario
Doull, Robert	Pictou, Nova Scotia
Dugas, Firmin	Montcalm, Quebec
Duguay, Joseph	Yamaska, Quebec

⁵ Named to the Ministry November 7, 1873, was re-elected in by-election December 3, 1873

⁶ Named to the Ministry November 7, 1873, was re-elected in by-election December 9, 1873

⁷ Resigned November 4, 1873; named Lt.-Governor of Ontario, November 5, 1873

⁸ Elected in by-election September 29, 1873

⁹ Named to the Ministry November 7, 1873, was re-elected in by-election November 27, 1873

Name of Member	Constituency
Edgar, James David	Monck, Ontario
Farrow, Thomas	Huron North, Ontario
Ferris, John	Queen's, New Brunswick
Findlay, James	Renfrew North, Ontario
Fiset, Jean-Baptiste Romuald	Rimouski, Quebec
Fleming, Gavin	Brant North, Ontario
Flesher, William Kingston	Grey East, Ontario
Forbes, James Fraser	Queens, Nova Scotia
Fortin, Pierre	Gaspé, Quebec
Fournier, Hon. Téléphore ¹⁰	Bellechasse, Quebec
Galbraith, Daniel	Lanark North, Ontario
Gaudet, Joseph	Nicolet, Quebec
Gendron, Pierre-Samuel	Bagot, Quebec
Geoffrion, Félix	Verchères, Quebec
Gibbs, Hon. Thomas Nicholson	Ontario South, Ontario
Gibbs, William Henry	Ontario North, Ontario
Gibson, William	Dundas, Ontario
Gillies, John	Bruce North, Ontario
Glass, David	Middlesex East, Ontario
Goudge, Monson Henry	Hants, Nova Scotia
Grant, James Alexander	Russell, Ontario
Grover, Peregrine Maitland	Peterborough East, Ontario
Hagar, Albert	Prescott, Ontario
Haggart, John Graham	Lanark South, Ontario
Harvey, William	Elgin East, Ontario
Harwood, Robert William	Vaudreuil, Quebec
Higinbotham, Nathaniel	Wellington North, Ontario
Hincks, Hon. Sir Francis	Vancouver, British Columbia
Holton, Hon. Luther Hamilton	Châteauguay, Quebec
Horton, Horace	Huron Centre, Ontario
Huntington, Hon. Lucius Seth	Shefford, Quebec
Jetté, Louis Amable	Montréal-Est, Quebec
Joly, Henri-Gustave	Lotbinière, Quebec
Jones, Francis	Leeds North and Grenville North, Ontario

¹⁰ Named to the Ministry November 7, 1873, was re-elected in by-election November 27, 1873

Name of Member	Constituency
Keeler, Joseph	Northumberland East, Ontario
Killam, Frank	Yarmouth, Nova Scotia
Kirkpatrick, George Airey	Frontenac, Ontario
Lacerte, Élie	Saint-Maurice, Quebec
Laflamme, Toussaint Antoine Rodolphe	Jacques-Cartier, Quebec
Laird, Hon. David ¹¹	Queen's County, P.E.I.
Landerkin, George	Grey South, Ontario
Langevin, Hon. Hector-Louis	Dorchester, Quebec
Langlois, Jean	Montmorency, Quebec
Lantier, Jacques Philippe	Soulanges, Quebec
Le Vesconte, Hon. Isaac	Richmond, Nova Scotia
Lewis, John Bower	Ottawa (City), Ontario
Little, William Carruthers	Simcoe South, Ontario
McAdam, John	Charlotte, New Brunswick
Macdonald, Augustine Colin ¹²	King's County, P.E.I.
Macdonald, Hon. Donald Alexander ¹³	Glengarry, Ontario
McDonald, Hon. Hugh ¹⁴	Antigonish, Nova Scotia
McDonald, Hon. James	Pictou, Nova Scotia
Macdonald, Hon. Sir John Alexander	Kingston City, Ontario
McDonald, William	Cape Breton, Nova Scotia
McDonnell, Samuel	Inverness, Nova Scotia
McDougall, William	Trois-Rivières (Ville), Quebec
McGreevy, Hon. Thomas	Québec-Ouest, Quebec
Mackay, Newton LeGayet	Cape Breton, Nova Scotia
Mackenzie, Hon. Alexander ¹⁵	Lambton, Ontario
Mailloux, Élie	Témiscouata, Quebec
Masson, Louis-François-Rodrigue	Terrebonne, Quebec
Mathieu, Michel	Richelieu, Quebec
Mercier, Honoré	Rouville, Quebec
Merritt, Thomas Rodman	Lincoln, Ontario
Metcalf, James	York East, Ontario
Mills, David	Bothwell, Ontario
Mitchell, Hon. Peter	Northumberland, New Brunswick
Moffatt, George	Restigouche, New Brunswick
Morrison, Angus	Niagara (Town), Ontario

¹¹ Elected in by-election September 29, 1873; named to the Ministry November 7, 1873, re-elected in by-election December 3, 1873

¹² Elected in by-election September 29, 1873

¹³ Named to the Ministry November 7, 1873, re-elected in by-election November 26, 1873

¹⁴ Resigned November 4, 1873; appointed to Supreme Court of Nova Scotia, November 5, 1873

¹⁵ Became Prime Minister November 7, 1873; was re-elected in by-election November 25, 1873

Name of Member	Constituency
Nathan, Henry	Victoria, British Columbia
Nelson, Hugh	New Westminster, British Columbia
O'Connor, Hon. John	Essex, Ontario
Oliver, Thomas	Oxford North, Ontario
O'Reilly, James	Renfrew South, Ontario
Ouimet, Joseph-Aldéric ¹⁶	Laval, Quebec
Palmer, Acalus Lockwood	St. John (City & County), New Brunswick
Pâquet, Anselme-Homère	Berthier, Quebec
Paterson, William	Brant South, Ontario
Pearson, Frederick M.	Colchester, Nova Scotia
Pelletier, Charles-Alphonse-Pantaléon	Kamouraska, Quebec
Pickard, John.....	York, New Brunswick
Pinsonneault, Alfred	Laprairie, Quebec
Pope, James Colledge ¹⁷	Prince County, P.E.I.
Pope, Hon. John Henry	Compton, Quebec
Pozer, Christian Henry	Beauce, Quebec
Prévost, Wilfrid	Deux-Montagnes, Quebec
Price, William Evan	Chicoutimi—Saguenay, Quebec
Ray, William Hallett	Annapolis, Nova Scotia
Richard, Édouard Émery	Mégantic, Quebec
Richards, Albert Norton	Leeds South, Ontario
Riel, Louis ¹⁸	Provencher, Manitoba
Robillard, Ulysse Janvier	Beauharnois, Quebec
Robinson, Hon. John Beverley	Algoma, Ontario
Robitaille, Hon. Théodore	Bonaventure, Quebec
Rochester, John	Carleton, Ontario
Ross, George William	Middlesex West, Ontario
Ross, James	Wellington Centre, Ontario
Ross, John Jones	Champlain, Quebec
Ross, Lewis	Durham East, Ontario
Ross, Walter	Prince Edward, Ontario
Ross, Hon. William ¹⁹	Victoria, Nova Scotia
Ryan, Michael Patrick	Montréal-Centre, Quebec
Rymal, Joseph	Wentworth South, Ontario

¹⁶ Elected in by-election October 28, 1873

¹⁷ Elected in by-election September 29, 1873

¹⁸ Elected in by-election October 13, 1873

¹⁹ Named to the Ministry November 7, 1873, was re-elected in by-election December 20, 1873

Name of Member	Constituency
Savary, Alfred William	Digby, Nova Scotia
Scatcherd, Thomas	Middlesex North, Ontario
Schultz, John Christian	Lisgar, Manitoba
Scriver, Julius	Huntingdon, Quebec
Shibley, Schuyler	Addington, Ontario
Sinclair, Peter ²⁰	Queen's County, P.E.I.
Smith, Hon. Albert James ²¹	Westmorland, New Brunswick
Smith, Donald Alexander	Selkirk, Manitoba
Smith, Robert	Peel, Ontario
Snider, George	Grey North, Ontario
Staples, Joseph	Victoria North, Ontario
Stephenson, Rufus	Kent, Ontario
Stirton, David	Wellington South, Ontario
Taschereau, Henri Thomas	Montmagny, Quebec
Thompson, David	Haldimand, Ontario
Thompson, Joshua Spencer	Cariboo, British Columbia
Thomson, William Alexander	Welland, Ontario
Tilley, Hon. Samuel Leonard, C.B.	St. John, New Brunswick
Tobin, Stephen	Halifax, Nova Scotia
Tourangeau, Adolphe Guillet dit	Québec-Est, Quebec
Tremblay, Pierre-Alexis	Charlevoix, Quebec
Trow, James	Perth South, Ontario
Tupper, Hon. Charles, C.B.	Cumberland, Nova Scotia
Wallace, John	Albert, New Brunswick
Wallace, William	Norfolk South, Ontario
Webb, William Hoste	Richmond—Wolfe, Quebec
White, John	Halton, Ontario
White, John	Hastings East, Ontario
Wilkes, Robert	Toronto Centre, Ontario
Witton, Henry Buckingham	Hamilton, Ontario
Wood, Hon. Edmund Burke	Durham West, Ontario
Wright, Alonzo	Ottawa (Comté), Quebec
Wright, William McKay	Pontiac, Quebec
Yeo, James ²²	Prince County, P.E.I.
Young, James	Waterloo South, Ontario
Young, Hon. John	Montréal-Ouest, Quebec

²⁰ Elected in by-election September, 29, 1873

²¹ Named to the Ministry November 7, 1873, was re-elected in by-election November 28, 1873

²² Elected in by-election September 29, 1873

CONSTITUENCIES BY PROVINCE WITH NAME OF MEMBERS ELECTED

SECOND PARLIAMENT SECOND SESSION

OCTOBER 23, 1873 TO NOVEMBER 7, 1873

PROVINCE OF MANITOBA

Lisgar	John Christian Schultz
Marquette	Robert Cunningham
Provencher	Louis Riel ¹
Selkirk	Donald Alexander Smith

PROVINCE OF BRITISH COLUMBIA

Cariboo	Joshua Spencer Thompson
New Westminster	Hugh Nelson
Vancouver	Hon. Sir Francis Hincks
Victoria	Henry Nathan
Victoria	Amor De Cosmos
Yale	Edgar Dewdney

PROVINCE OF NEW BRUNSWICK

Albert	John Wallace
Carleton	Stephen Burpee Appleby ²
Charlotte	John McAdam
Gloucester	Hon. Timothy Warren Anglin
Kent	Robert Barry Cutler
King's	James Domville
Northumberland	Hon. Peter Mitchell
Queen's	John Ferris
Restigouche	George Moffatt
St. John (City)	Hon. Samuel Leonard Tilley, C.B.
St. John (City & County)	Hon. Isaac Burpee ³
St. John (City & County)	Acalus Lockwood Palmer
Sunbury	Charles Burpee
Victoria	John Costigan
Westmorland	Hon. Albert James Smith ⁴
York	John Pickard

¹ Elected in by-election October 13, 1873

² Elected in by-election September 18, 1873

³ Named to the Ministry November 7, 1873, was re-elected in by-election December 1, 1873

⁴ Named to the Ministry November 7, 1873, was re-elected in by-election November 28, 1873

PROVINCE OF NOVA SCOTIA

Annapolis	William Hallett Ray
Antigonish	Hon. Hugh McDonald ⁵
Cape Breton	Newton LeGayet Mackay
Cape Breton	William McDonald
Colchester	Frederick M. Pearson
Cumberland	Hon. Charles Tupper, C.B.
Digby	Alfred William Savary
Guysborough	Stewart Campbell
Halifax	William Johnston Almon
Halifax	Stephen Tobin
Hants	Monson Henry Goudge
Inverness	Samuel McDonnell
Kings	Leverett de Veber Chipman
Lunenburg	Charles Edward Church
Pictou	Robert Doull
Pictou	Hon. James McDonald
Queens	James Fraser Forbes
Richmond	Hon. Isaac Le Vesconte
Shelburne	Hon. Thomas Coffin ⁶
Victoria	Hon. William Ross ⁷

PROVINCE OF PRINCE EDWARD ISLAND

King's County	Daniel Davies ⁸
King's County	Augustine Colin Macdonald ⁹
Prince County	James Colledge Pope ¹⁰
Prince County	James Yeo ¹¹
Queen's County	Hon. David Laird ¹²
Queen's County	Peter Sinclair ¹³

⁵ Resigned November 4, 1873; appointed to the Supreme Court of Nova Scotia November 5, 1873

⁶ Named to the Ministry November 7, 1873, was re-elected in by-election December 9, 1873

⁷ Named to the Ministry November 7, 1873, was re-elected in by-election December 20, 1873

⁸ Elected in by-election September 29, 1873

⁹ Elected in by-election September 29, 1873

¹⁰ Elected in by-election September 29, 1873

¹¹ Elected in by-election September 29, 1873

¹² Elected in by-election September 29, 1873; named to the Ministry November 7, 1873, was re-elected in by-election December 3, 1873

¹³ Elected in by-election September 29, 1873

PROVINCE OF ONTARIO

Addington	Schuyler Shibley
Algoma (The Provisional Judicial District of)	Hon. John Beverley Robinson
Bothwell	David Mills
Brant North	Gavin Fleming
Brant South	William Paterson
Brockville (Town), with the Township of Elizabethtown thereto attached	Jacob Dockstader Buell
Bruce North	John Gillies
Bruce South	Hon. Edward Blake ¹⁴
Cardwell	Hon. John Hillyard Cameron
Carleton	John Rochester
Cornwall	Darby Bergin
Dundas	William Gibson
Durham East	Lewis Ross
Durham West	Hon. Edmund Burke Wood
Elgin East	William Harvey
Elgin West	George Elliot Casey
Essex	Hon. John O'Connor
Frontenac	George Airey Kirkpatrick
Glengarry	Hon. Donald Alexander Macdonald ¹⁵
Grenville South	William Henry Brouse
Grey East	William Kingston Flesher
Grey North	George Snider
Grey South	George Landerkin
Haldimand	David Thompson
Halton	John White
Hamilton	Henry Buckingham Witton
Hamilton (City)	Daniel Black Chisholm
Hastings East	John White
Hastings North	Mackenzie Bowell
Hastings West	James Brown
Huron Centre	Horace Horton
Huron North	Thomas Farrow
Huron South	Malcolm Colin Cameron
Kent	Rufus Stephenson
Kingston	Hon. Sir John Alexander Macdonald
Lambton	Hon. Alexander Mackenzie ¹⁶
Lanark North	Daniel Galbraith
Lanark South	John Graham Haggart
Leeds North and Grenville North	Francis Jones
Leeds South	Albert Norton Richards
Lennox	Hon. Richard John Cartwright ¹⁷

¹⁴ Named to the Ministry November 7, 1873, was re-elected in by-election December 4, 1873

¹⁵ Named to the Ministry November 7, 1873, was re-elected in by-election November 26, 1873

¹⁶ Became Prime Minister November 7, 1873 and was re-elected in by-election November 25, 1873

¹⁷ Named to the Ministry November 7, 1873, was re-elected in by-election December 3, 1873

PROVINCE OF ONTARIO (cont'd)

Lincoln	Thomas Rodman Merritt
London (City)	Hon. John Carling
Middlesex East	David Glass
Middlesex North	Thomas Scatcherd
Middlesex West	George William Ross
Monck	James David Edgar
Muskoka	Alexander Peter Cockburn
Niagara (Town), with the Township of Niagara thereto attached	Angus Morrison
Norfolk North	John Charlton
Norfolk South	William Wallace
Northumberland East	Joseph Keeler
Northumberland West	Hon. James Cockburn
Ontario North	William Henry Gibbs
Ontario South	Hon. Thomas Nicholson Gibbs
Ottawa (City)	Joseph Merrill Currier
Ottawa (City)	John Bower Lewis
Oxford North	Thomas Oliver
Oxford South	Ebenezer Vining Bodwell
Peel	Robert Smith
Perth North	Thomas Mayne Daly
Perth South	James Trow
Peterborough East	Peregrine Maitland Grover
Peterborough West	William Cluxton
Prescott	Albert Hagar
Prince Edward	Walter Ross
Renfrew North	James Findlay
Renfrew South	James O'Reilly
Russell	James Alexander Grant
Simcoe North	Herman Henry Cook
Simcoe South	William Carruthers Little
Stormont	Cyril Archibald
Toronto Centre	Robert Wilkes
Toronto East	James Beaty
Victoria North	Joseph Staples
Victoria South	George Dormer
Waterloo North	Isaac Erb Bowman
Waterloo South	James Young
Welland	William Alexander Thomson
Wellington Centre	James Ross
Wellington North	Nathaniel Higinbotham
Wellington South	David Stirton
Wentworth North	Thomas Bain

PROVINCE OF ONTARIO (cont'd)

Wentworth South	Joseph Rymal
West Toronto	John Willoughby Crawford ¹⁸
York East	James Metcalfe
York North	Anson Greene Phelps Dodge
York West	David Blain

PROVINCE OF QUEBEC

Argenteuil	Hon. John Joseph Caldwell Abbott
Bagot	Pierre-Samuel Gendron
Beauce	Christian Henry Pozer
Beauharnois	Ulysse Janvier Robillard
Bellechasse	Hon. Télesphore Fournier ¹⁹
Berthier	Anselme-Homère Pâquet
Bonaventure	Hon. Théodore Robitaille
Brome	Edward Carter
Chambly	Pierre Basile Benoit
Champlain	John Jones Ross
Charlevoix	Pierre-Alexis Tremblay
Châteauguay	Hon. Luther Hamilton Holton
Chicoutimi—Saguenay	William Evan Price
Compton	Hon. John Henry Pope
Deux-Montagnes	Wilfrid Prévost
Dorchester	Hon. Hector-Louis Langevin
Drummond—Arthabaska	Pierre Nérée Dorion
Gaspé	Pierre Fortin
Hochelaga	Louis Beaubien
Huntingdon	Julius Sriver
Iberville	François Béchard
Jacques-Cartier	Toussaint Antoine Rodolphe Laflamme
Joliette	Louis François Georges Baby
Kamouraska	Charles-Alphonse-Pantaléon Pelletier
Laprairie	Alfred Pinsonneault
L'Assomption	Hon. Louis Archambault
Laval.....	Joseph-Hyacinthe Bellerose ²⁰
Laval	Joseph-Aldéric Ouimet ²¹
Lévis	Hon. Joseph-Godéric Blanchet
L'Islet	Philippe Baby Casgrain
Lotbinière	Henri-Gustave Joly
Maskinongé	Louis Alphonse Boyer

¹⁸ Resigned November 4, 1873; named Lt.-Governor of Ontario November 5, 1873

¹⁹ Named to the Ministry November 7, 1873, was re-elected in by-election November 27, 1873

²⁰ Resigned upon appointment to Senate October 7, 1873

²¹ Elected in by-election October 28, 1873

PROVINCE OF QUEBEC (cont'd)

Mégantic	Édouard Émery Richard
Missisquoi	George Barnard Baker
Montcalm	Firmin Dugas
Montmagny	Henri Thomas Taschereau
Montmorency	Jean Langlois
Montréal-Centre	Michael Patrick Ryan
Montréal-Est	Louis Amable Jetté
Montréal-Ouest	Hon. John Young
Napierville	Hon. Antoine-Aimé Dorion ²²
Nicolet	Joseph Gaudet
Ottawa (Comté)	Alonzo Wright
Pontiac	William McKay Wright
Portneuf	Joseph Esdras Alfred De Saint-Georges
Québec-Centre	Hon. Joseph Édouard Cauchon
Québec-Est	Adolphe Guillet dit Tourangeau
Québec-Ouest	Hon. Thomas McGreevy
Québec (Comté)	Joseph Philippe René Adolphe Caron
Richelieu	Michel Mathieu
Richmond—Wolfe	William Hoste Webb
Rimouski	Jean-Baptiste Romuald Fiset
Rouville	Honoré Mercier
Saint-Hyacinthe	Louis Delorme
Saint-Jean	François Bourassa
Saint-Maurice	Élie Lacerte
Shefford	Hon. Lucius Seth Huntington
Sherbrooke (Ville)	Edward Towle Brooks
Soulanges	Jacques Philippe Lantier
Stanstead	Charles Carroll Colby
Témiscouata	Élie Mailloux
Terrebonne	Louis-François-Rodrigue Masson
Trois-Rivières (Ville)	William McDougall
Vaudreuil	Robert William Harwood
Verchères	Félix Geoffrion
Yamaska	Joseph Duguay

²² Named to the Ministry November 7, 1873, was re-elected in by-election November 27, 1873

Readers Note

This is the seventh volume in a series initiated in the 1960s to reconstitute the early debates of the House of Commons, and represents the debates of the First Session of the Second Parliament (1873). The editorial approach followed here is set out in P.B. Waite's Introduction to the first volume, which reconstituted the debates of 1867-1868.

These debates are a reconstruction from newspaper accounts and are in no way considered official records of the House of Commons. Numbers and figures misquoted in original newspaper reports have been corrected where required. The exact names of bills, votes, etc., sourced from the *Journals* of the House, occasionally replace the more dubious titles found in unofficial records of the day. Professional designations have been suppressed in favour of the official names of individuals. These were exhaustively researched using parliamentary guides, the Dictionary of Canadian Biography, and the Library of Parliament's own PARLINFO database, where readers may consult the political biographies of Canada's early parliamentarians. The names of electoral districts have been verified and made consistent, but readers should note that other place names, which may have changed since the 1800s, have been left "as reported" here.

There has been no attempt to clean up awkward or incomplete sentences. The reader must adopt the mindset of a reporter in the late 1800s, writing furiously in a noisy, bustling environment. Likewise, the language of debate is rooted in the times, with the appearance of archaic words and turns of phrase and liberal references to the classics of the day. Those with a keen eye will note some creative spelling and variations in the capitalization of parliamentary terms, a lack of consistency that honours the flavour of the times.

October 23, 1873

HOUSE OF COMMONS

OPENING OF SECOND SESSION

Thursday, October 23 1873

SECOND PARLIAMENT

Since the inauguration of the Dominion, no session of Parliament has been opened under circumstances of so grave import as that which was begun yesterday. The excited state of public feeling was manifested in the unusually large gathering of interested onlookers from all sections of the country, even the most remote. The interest of the proceeding was also enhanced by the presence for the first time of the members from the newly united Province of Prince Edward Island.

Since Monday, 20 October, 1873, the city has worn an unwonted appearance of life. Strange faces were visible at every street corner, the hotels have been crowded to repletion, despite increased accommodation, and late arrivals had difficulty in obtaining places wherein to lay their heads.

As the time for opening drew near, the appearances of excitement increased. The streets in the vicinity of the Parliament Building were thronged with members of the different volunteer corps who were to take part in the ceremony, were here and there seen hurrying to their mustering places, and early in the afternoon a crowd began to assemble in Parliament Square, forming picturesque groups to which the bright colours of the garments worn by a considerable number of the fairer sex lent a happy warmth.

At two o'clock the Governor General's Foot Guards, under command of Major White, Captain Wicksteed, Lt. Larman and Ensign Bate, marched into the grounds and formed on the terrace in front of the Houses of Parliament as a guard of honour, and soon afterwards the Ottawa Field Battery took up position in the Square, commanded by Captain Steward, unlimbered their guns, and prepared to fire a salute. Meanwhile a steady stream of people who were fortunate enough to possess tickets of admission to the Galleries of the Houses poured into the buildings, awaiting in the corridors the opening of the doors admitting to the galleries of the Senate and Commons Chambers, while upon the floor of the House were ranged on either side in company with the Countess of Dufferin, the fairest dames of Ottawa.

Shortly after three o'clock the booming of the guns announced that the Governor was on his way, soon the leading files of the Ottawa troupe of Cavalry, under the command of Capt. Sparks, which formed the escort, made their appearance at the gate-way, and a moment later the Vice-Regal carriage swept into the enclosure and drew up at the main entrance to the Parliament Building, attended by the following military staff:

STAFF OF THE GOVERNOR GENERAL

Colonel Fletcher, Scott's Fus. Guards, Military Secretary

Lieutenant Hamilton, A.D.C.

Lieutenant Ward, R.N.

Mr. Patterson, Private Secretary

Lt.-Colonel Powell, Acting Adjt General

Lt.-Colonel Wily, Director of Stores

Lt.-Colonel Macpherson, D.A.A.G.

Lt.-Colonel Jackson, Acting D.A.G.

Lt.-Colonel Strange, B, Battery, Quebec

Lt.-Colonel Coffin

Lt.-Colonel Ross, Governor General's Foot Guards

Lt.-Colonel Dennis

Major White, G.G. Foot Guards

Major Wickstead, G.G. Foot Guards

Surgeon Malloch, G.G. Foot Guards

Major Macdonald

Major Perry

Major Egleson, O.B.G.A.

Paymaster Crombie, do.

Paymaster Woodburn, Field Battery

Captain Seymour, Port Hope Battery

Captain Duchesnay, B. Battery, Quebec

Surgeon Neilson

Captain Sparks, Cavalry

Lieut. Wilson, A. Battery, Kingston

Captain Hamilton, R.N.

Captain Lee, G.G. Foot Guards.

His Excellency then preceded to the room of the Hon. Speaker of the Senate, and afterwards to the Senate Chamber, where, being seated, he ordered the attendance of the members of the Commons.

The Countess of Dufferin had meanwhile entered the Chamber, accompanied by Lady Harriot Fletcher, Lady Helen Blackwood, Mrs. Rathey and Mrs. Pattison, Lord Clandeboye, Lord Talbot and Captain Ward, R.N.

On the floor of the House there were, besides the following ladies:

Lady Macdonald, Mrs. Tilley, Mrs. Mitchell, Mrs. O'Connor, Mrs. Aikins, Mrs. Tupper, Mrs. Gibbs, Miss Gibbs, Mrs. W.E. Ogilvie, Misses Himsworth, Mrs. & Misses Skead, Mrs. & Misses Fellowes, Mrs. Hamilton, Miss Chauveau, Mrs. & Miss LeMoine, Mrs. F. Taylor, Mrs. James Adamson, Mrs. Boucher, Mrs. Gameau, Mrs. & Misses McLean, Mrs. Courtney, Mrs. & Misses Lewis, Mrs. Lauder, Mrs. Street, Mrs. Jones, Mrs. Pollard, Mrs. Gordon, Mrs. Rochester, Mrs. Grant, Mrs. Eddie, Mrs. A. Wright, Mrs. McKay Wright, Mrs. Scott & Misses Richards.

Mrs. Lyon, Mrs. Currier, Mrs. & Miss Patrick, Mrs. Bourinot, Mrs. Macdonell, Mrs. G. Wickstead & Misses, Mrs. Hartney, Mrs. Blain, Mrs. & Miss Leprohon, Mrs. Hayes, Mrs. Wilson, Mrs. Bernard, Mrs. Drinkwater, Mrs. R. Bouchette, Mrs. J. Johnston, Mrs. A. Brunet, Mrs. Rubridge, Mrs. Rowan, Mrs. P. Patrick, Mrs. Robert Lindsay, Mrs. & Miss Powell, Mrs. & Miss Dennis, Mrs. Stuart, Mrs. Macpherson, Mrs. & Miss Anderson, Mrs. Clayton, Mrs. Bowie, Mrs. & Miss Eddy, Mrs. O'Meara, Miss Bury, Miss Walsh, Mrs. Germain, Mrs. Finden, Mrs. Perley, Mrs. Forrest, Mrs. H. Cotton & Miss, Mrs. & Misses Derbyshire.

Mrs. Starke, Mrs. Griffin, Mrs. & Miss Carrier, Mrs. & Misses Taylor, Mrs. Lapierre, Mrs. & Misses Laing, Mrs. McNab, Mrs. Burpee, Mrs. & Misses Dorion, Mrs. Chas Smith, Mrs. & Miss Slater, Mrs. W. Wright, Mrs. Sparks, Mrs. Birch, Mrs. Scott, Mr. & Miss Poetter, Miss Gingras, Mrs. Vaux, Mrs. Wm. Hume, Mrs. Taller, Mrs. & Misses Peachy, Mrs. Shepherd, Mrs. P. Simpson, Mrs. Corbett, Misses Chesley, Mrs. Cross, Mrs. & Misses Gough, Mrs. G. Gray.

Mrs. Suttle, Mrs. Fox, Mrs. Halters, Mrs. Lindsay, Miss Heron, Mrs. & Miss Kingsford, Mrs. & Misses Ashworth, Miss Lafontaine, Mrs. Haycock, Mrs. R. Haycock, Mrs. & Miss Wetherly, Mrs. White, Mrs. Donaldson, Mrs. & Miss Cruice, Mrs. Col. Macpherson, Mrs. & Miss Willis, Mrs. Friel, Mrs. & Miss Seymour, Mrs. J.G. Haggart, Miss Higginson, Mrs. Capt. Chambers, Miss Coutlee, Mrs. Col. Chamberlin, Miss A. Fitzgibbon, Miss Vickers, Miss Grover.

Mrs. & Miss Keeler, Mrs. King, Mrs. W. Wickstead & the Misses Wickstead. Mrs. W. Ross (Prince Edward), Mrs. James T.

Pennock, Mrs. Wm. Hall, Mrs. A. Russell, Miss Benson, Mrs. Merritt, Mrs. & Miss Carling, Mrs. H.C. Himsworth, Mrs. & the Misses Johnson, Mrs. & Miss Thompson, Mrs. L. Ross (East Durham), Mrs. Dr. Chapman (Picton), Miss Dumble (Cobourg), Mrs. M.H. Goridge, Mrs. Futvoye, Miss Hazzard, Miss Davies, Mrs. D. Davies, Mrs. Knight, Mrs. D.W. MacDonald, Mrs. Penny, Mrs. Stelle, Mrs. E. & Miss Walter Powell, Mrs. & the Misses Meredith, Mrs. Brooks, Miss Griffin, Mrs. Molson, Mrs. Noel, Miss Florence Slater, Miss Clegg, Mrs. H. Bate, Miss N. Bate, Mrs. Dempsey.

The throne was, as usual, surrounded by the staff, besides the Hon. Messrs. Campbell and Mitchell, in Windsor uniforms, and Lieutenant Governor Wilmot of New Brunswick.

The members of the Commons having appeared at the Bar of the House, His Excellency delivered the following:

* * *

SPEECH FROM THE THRONE

Honourable Gentlemen of the Senate,

Gentlemen of the House of Commons

In accordance with the intimation given by me at the close of last Session, I have caused Parliament to be summoned at the earliest moment after the receipt of the Report of the Commissioners appointed by me to enquire into certain matters connected with the Canadian Pacific Railway.

The evidence obtained under the Commission deserves careful consideration. The Report will be laid before Parliament, and it will be for you then to determine whether it can be of any assistance to you.

A Bill for the Consolidation and Amendment of the Laws in force in the several Provinces relating to the representation of the people in Parliament will again be submitted to you. By the postponement of this measure from last Session you will have the advantage of including in its provisions the Province of Prince Edward Island, now happily united to Canada.

The Canadian Pacific Railway Company, to whom a Royal Charter was granted have, I regret to say, been unable to make the financial arrangements necessary for the construction of that great undertaking. They have therefore executed a surrender of their Charter which has been accepted by me.

You will, I trust, feel yourselves called upon to take steps to secure the early commencement and vigorous prosecution of the construction of that Railway, and thus to carry out, in good faith, the arrangement made with the Province of British Columbia. A measure for this purpose will be submitted for your consideration.

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The extension of the bounds of the Dominion has caused a corresponding increase in the work of administration, and seems to call for additional assistance in Parliament as well as in Executive Government. A Bill on this subject will be laid before you.

Your attention will be invited to the consideration of a Bill for the establishment of a General Court of Appeal.

Measures relating to our navigable waters and to the Inspection Laws, will be laid before you; as also, a Bill for the establishment of a Dominion Board of Agriculture.

The subject of the law relating to insolvency will necessarily engage your attention.

The efforts made by the several Provinces, as well as by the Dominion, to encourage immigration, have met with success, and a large number of valuable settlers has been added to our population. I do not doubt that you will continue your liberal aid to this important object.

Gentlemen of the House of Commons:—

I have directed that the accounts of the past financial year be laid before you. The prosperous condition of our finances continues, and the revenue has been sufficient to meet all charges upon it.

The estimates for the ensuing year will be laid before you. They have been prepared with due regard to economy as well as to the efficiency of the public service; and I trust that the supplies which are necessary, will be granted without inconvenience to the people.

Honourable Gentlemen of the Senate.

Gentlemen of the House of Commons:

Your best attention will, I doubt not, be devoted to the important interests committed to your charge, and I am confident that your deliberations will redound to the advantage and prosperity of the country.

The Commons then retired to their Chamber, and the ceremonial was brought to a conclusion in the usual manner.

* * *

HOUSE OF COMMONS

The Commons assembled in their Chamber, and shortly after three o'clock the usual three raps were heard at the door, announcing the arrival of the Gentleman Usher of the Black Rod, who was admitted, made his bows, delivered his message, and departed, followed by a noisy crowd of members to the Senate Chamber.

The members having returned from the Senate Chamber, and the doors having been opened, the first business was the introduction of the new members:

Hon. Mr. LAIRD was introduced by Right Hon. Sir John A. Macdonald and Mr. Palmer.

Hon. Mr. POPE (Prince County) by Hon. Mr. Pope (Compton) and Mr. Crawford.

Mr. YEO by Hon. Mr. McDonald (Antigonish) and Hon. Mr. Robinson.

Mr. SINCLAIR by Hon. Messrs. Langevin and Gibbs (Ontario South).

Mr. MACDONALD (King's County) by Hon. Mr. Mitchell and Mr. De Cosmos.

Mr. DAVIES by Hon. Messrs. Tupper and Carling.

Mr. APPLEBY by Hon. Mr. Smith (Westmorland) and Mr. Burpee (Sunbury).

Hon. Sir JOHN A. MACDONALD then communicated the following messages from His Excellency:—

Papers relating to the Act 36 Vic., Cap., 1, providing for the examination of witnesses under oath in certain cases.

Papers relative to the prorogation of Parliament on the 13th of August last.

Papers relative to the issuance of the Royal Commission.

Despatch from Earl Kimberly to the Governor General in reply to despatches of the 15th and 18th of August.

[Editor's note: A selection from these papers will be found at the end of the report at the proceedings of 23rd October. The correspondence laid before the House on 23 October is printed in full in *Journals of the House of Commons*, Second Session, 1873, pp 5-119.]

Hon. Sir JOHN A. MACDONALD here said that these despatches were very important, they contained matters of the greatest interest; and in the opinion of the Government it would be impossible to discuss some of the topics touched upon in the address, until the hon. members had had an opportunity of reading them. He therefore moved, that the Speech from the Throne be taken into consideration on Monday next.

Hon. Mr. MACKENZIE said though it was perhaps a little irregular at this time, that he would like to know if the papers brought down would contain merely the despatches from the Imperial Government without those to which they were replies, or was it the intention to lay all the despatches before the House.

Hon. Sir JOHN A. MACDONALD said the hon. gentleman would see when the papers were brought down that they contained despatches both from this country to England and from England to this country; both the despatches sent and the replies to them. These despatches were very important, of the greatest interest, and the government were of opinion that the House could not satisfactorily discuss some of the paragraphs of the Speech they had just heard till they had an opportunity of reading them all over. He therefore moved that the Speech be taken into consideration on Monday next. (*Hear, hear.*)

Hon. Mr. MACKENZIE regretted that the hon. gentleman should think it necessary to postpone the consideration of the address for such a length of time.

If these papers were to be presented to the House in a few minutes, nearly all the members would find time to look over their contents before tomorrow. It was a serious matter to have the members of this House coming together so often during the course of one year, and that now they would have this unnecessary adjournment till Monday (*hear, hear*) without any cause as far as he could see.

Hon. Sir JOHN A. MACDONALD said these papers were of considerable length, but possibly by a great act of labour they might be read by tomorrow. He doubted very much, however, whether they could be considered properly. On that ground he asked that the consideration of the Speech be left over until Monday. (*Hear, hear.*)

The motion was then agreed to.

Hon. Sir JOHN A. MACDONALD then made the usual formal motion with regard to Select Committees; he also moved the usual declaration with regard to bribery, corruption, and tampering with the independence of Parliament, which declares each and all of these to be crimes and misdemeanours.

At several points in the declaration he was loudly cheered by the Opposition.

Hon. Sir JOHN A. MACDONALD then moved that when the House adjourns, it do stand adjourned until Monday next, at three o'clock.

Hon. Mr. MACKENZIE called attention to the fact that, in the Speech from the Throne, it was said that the evidence obtained under the Commission appointed by the Government to enquire into the Pacific charges would be laid before Parliament, and that had not yet been done. It was not amongst the papers sent down by message, and if it were necessary the other despatches should be

read by members, surely it was necessary that the papers to which he referred should also be read before the House again met. He desired to know whether those papers were printed.

Hon. Sir JOHN A. MACDONALD said they were printed, and he had not laid them on the table because he had cut the string which bound them without observing that they were addressed to Mr. Speaker. He did not like to present the documents in that condition. It, however, was printed and would be distributed that evening. He intended to get the paper re-addressed, but if he might be permitted to present it in the mutilated form, he had decided he would do so. (*Cries of Yes, and Hear, Hear.*)

He then laid the report of the Commissioners on the table.

The motion with regard to the adjournment of the House was then carried.

Hon. Sir JOHN A. MACDONALD then moved the adjournment of the House, which was carried at 4 p.m.

* * *

REPORT OF THE ROYAL COMMISSIONERS

To the Right Hon. Sir Frederick Temple, Earl of Dufferin, Viscount and Baron Clandeboye, of Clandeboye, in the County of Down, in the peerage of the United Kingdom, Baron Dufferin, and Clandeboye, and Ballyeid and Killeleagh, in the County of Down, in the peerage of Ireland, and a baronet Knight of the most illustrious order of St. Patrick, and Knight Commander of the Most Honourable order of the Bath, Governor General of Canada, and Vice-Admiral of the same.

May it please Your Excellency,—

The undersigned Commissioners, appointed by Royal Commission addressed to them under the Great Seal of Canada, bearing date the 14th day of August A.D. 1873, have the honour to report—

(1) That they met at Ottawa on the 18th day of August last, for the purpose of making preparations for the discharge of the duty imposed on them by the Commission.

(2) The course of proceedings was then settled, and the 4th day of September last was appointed for entering upon the examination of witnesses.

(3) The Commissioners, on undertaking the enquiry they were enjoined to make, had hoped that the entire conduct of it would not have been left in their hands; that the Hon. Mr. Huntington, or some one who believed that the charges specified in the Commission could be established by evidence would have conducted the enquiry before them, and they had resolved in such event not only to accept such aid in the investigation, but to allow to the promoter at least the same latitude in the mode of proceeding as the recognized Courts of Justice allowed in ordinary judicial investigations, and

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also to give to the members of the Government a like latitude for defence. This course appeared to the Commissioners to be just, and in accordance with what they believed to be Your Excellency's wishes and expectations.

(4) In the prosecution of their work, the Commissioners have called before them such persons as they had reason to believe could give any information on the subject of it, or otherwise facilitate the investigation, and especially the Hon. Mr. Huntington, to whom a letter annexed to this report was addressed on the 21st of August last past, requesting him to furnish to the Commission a list of such witnesses as he might wish to examine, and to proceed on the day named with evidence in the premises.

(5) A letter was also addressed to the Hon. the Secretary of State, giving notice of the day appointed for the proceeding, a copy of which is also annexed.

(6) In the interval between the first day of meeting and the day so appointed, summonses were duly served upon Hon. Mr. Huntington and others to appear and give evidence.

(7) On the fourth day of September the Commissioners met, and after the publication of the Commission the witnesses cited for that day were called.

(8) Hon. Mr. Huntington failed to appear.

(9) The evidence of the Hon. Henry Starnes was taken, and a sealed packet placed in his possession by Sir Hugh Allan and Mr. George W. McMullen was produced and deposited with the Commissioners.

(10) The sealed packet was opened with the consent of Mr. Starnes and Sir Hugh Allan, and the several papers it contained were put in proof.

(11) The Commissioners then examined the other witnesses in attendance, and afterwards on successive days preceded to the examination of those whose names are on the list, styled "List of witnesses to be examined" hereto annexed.

(12) Of the 33 gentlemen whose names are on that list 29 have been examined.

(13) Two of these, Mr. George W. McMullen and the Hon. A.B. Foster, failed to appear although duly summoned, the former through a special messenger sent to Chicago for the purpose.

(14) The other two, Mr. Henry Nathan and Mr. Donald A. Smith, are resident, the former in British Columbia and the latter in Manitoba; the distance and consequent delay in securing their attendance, and the large outlay it will cause, render it inexpedient in the judgment of the Commissioners to call them to give evidence.

(15) In addition to those whose names are on the above-mentioned list, the Commissioners have called and examined Mr. Daniel Y. McMullen, Sir Hugh Allan, the Hon. J.J.C. Abbott, and the Hon. Mr. Ouimet.

(16) Most of these witnesses were cross-examined on behalf of the Government by Hon. Sir John A. Macdonald or other members of it.

(17) Mr. Charles M. Smith of Chicago, was summoned by the Commissioners, but did not appear.

(18) Evidence also has been given by Mr. Fred C. Martin and Mr. Thomas White, whose names were furnished by members of the Government, and Mr. George Norris, Jr. and Mr. J.A. Perkins, whose names were also so furnished, were cited to appear but made default.

(19) The Commissioners on the 23rd day of September, while still in the course of their examination, requested by public announcement all persons possessing any information on the subject of the enquiry to appear and give evidence before them.

(20) No evidence has been offered in answer to this announcement.

(21) The Commission closed its sittings for taking evidence on the 1st day of October instant. These sittings were public and open, and accommodation was provided for reporters of the public press.

(22) The Commissioners have endeavoured, in obedience to the requirements of the Commission, to obtain from the witnesses all the evidence pertinent to the subject matter of the enquiry which they were able to give.

(23) This evidence is contained in depositions, 36 in number, and in certain documents, all of which are annexed to this report and specified respectively in the accompanying list and schedule.

(24) If the evidence be considered redundant, it has arisen from the nature and circumstances of the enquiry, which rendered it inexpedient to limit its range by the technical rules of evidence observed in the ordinary tribunals.

(25) With respect to that portion of the Commission which leaves to the discretion of the Commissioners the expression of their opinions upon the evidence, they have determined not to avail themselves of the liberty so given.

(26) They had arrived at that conclusion before they were informed of your Excellency's views on the subject, and they feel confirmed and justified in it by a communication received before their labours commenced, to which Your Excellency kindly permits us to allude relating to one or two matters on which they thought it their duty to consult Your Excellency before entering upon the execution of their task.

(27) In that communication Your Excellency was pleased to express the opinion that the functions of the Commissioners were rather inquisitorial than judicial, and that the execution of them should not be such as in any way to prejudice whatever proceedings Parliament might desire to take, when it reassembled in October.

(28) The Commissioners coinciding with your Excellency in the view that the Commission do not require them to pronounce judicially on the evidence, consider that their duty will have been fully discharged when they shall have forwarded to the Secretary of State the accompanying depositions and document with this report in triplicate as requested by their instructions, unless a report of their opinion on the result of the evidence shall be specially requested.

All of which is respectfully submitted.

(Signed)

Charles Dewey Day

Chairman

(Signed)

A. Polette

Commissioner

(Signed)

James Robert Gowan

Commissioner

Royal Commission Rooms, Ottawa

October 17, 1873.

* * *

CORRESPONDENCE BETWEEN THE GOVERNOR GENERAL AND THE IMPERIAL PARLIAMENT

The following documents were presented to the House of Commons by command of His Excellency the Governor General:—

LORD DUFFERIN, the Governor General, transmits for the information of the Senate and the House of Commons the accompanying papers relative to the prorogation of Parliament on the 13th August last:—

“Government House,”

Ottawa, 23 October 1873

“No. 197, Canada, August 15, 1873”

“My Lord, I have the honour to state, to your Lordship’s information, that at half past three on the afternoon of Wednesday, 13th instant, I prorogued Parliament.

As this event is likely to be regarded with dissatisfaction by one of the great political parties in this country, and has been already animadverted upon in no measured terms by a portion of the Canadian press. I propose to give your Lordship a full account of the circumstances under which it has taken place.

Although I have already acquainted your Lordship from time to time with everything which has occurred in connection with the grant of the Pacific Railway charter, as well as with the proceedings in and out of Parliament, to which it has given rise, it may be well to preface my intended statement by a brief recapitulation of its previous history.

The scheme of a Canadian line of railway from the Atlantic to the Pacific first acquired a practical character in 1871, when its construction within ten years from that date became one of the conditions on which British Columbia covenanted to enter into the Confederation.

The first move towards the realization of the project seems to have been initiated not by a Canadian, but by an Englishman of the name of Waddington, who, after broaching his proposals in Toronto and elsewhere, apparently without success, eventually succeeded in obtaining the co-operation of a number of capitalists in Chicago and New York, most of whom, though not all, were interested in the Northern Pacific Railway, a United States line, connecting at London with the Continental system, which it is intended to carry across the northernmost States of the Union to a port on the Pacific, and which will consequently run parallel through at a lower latitude and over a wider area, with the proposed Canadian line.

A deputation from these gentlemen seems to have visited Ottawa in the autumn of 1871, and to have had an interview with some members of the Canadian Government, by whom they were informed that the time for entering into negotiations for the construction of the railway had not arrived. For several months no other proposition was received by the Government, but it is stated by Hon. Sir Francis Hincks in a letter, of which I append a copy, that, being in Montreal in the month of July of the same year, he met Sir Hugh Allan, and, giving him the names of some of the Americans who had made these advances, expressed his regret that a work of such importance should fall into the hands of foreigners. Acting upon this suggestion, Sir Hugh Allan turned his attention to the matter, and eventually, in conjunction with these Americans and some Quebec friends of his own, formed a Company for the work. But as the session of 1872 approached, it became evident that the admission of parties connected with the American Pacific to a share in the contract for the Canada Pacific was become unpopular, and Parliament appearing to share this feeling, it was announced by the Government to Sir Hugh Allan that no proposals emanating from an American Company would be entertained.

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On this intimation Sir H. Allan appears to have addressed himself to the organization of a purely Canadian Company, and gave to the Government the most positive assurances that he had entirely dissociated himself from his American friends.

In the meantime another Company had been formed in Toronto, called the Interoceanic Company, of which Mr. Macpherson, a gentleman of very high standing and character, and a Dominion Senator, was chairman.

During the ensuing session, that is, the spring of 1872, both the Companies, the Interoceanic and Canada Pacific, as Sir Hugh's was now called, obtained Acts of incorporation, and at the same time an Act of Parliament was passed, enabling the Government to enter into a contract with one or the other of the above mentioned Companies, or with an amalgamation of the two, or, if they should see fit to grant a Royal charter to a new and altogether distinct company, in case an agreement should be found impossible with those already in existence.

The terms of which the Government was authorized to grant to whatever company undertook the contract were settled in the last Parliament, and will have already been communicated to your Lordship by my predecessor, Lord Lisgar, who up to this time was still in office; but it may be convenient to mention that the principal concessions consisted of a grant, under certain conditions of 50,000,000 acres of land in alternate blocks, along the line and of a subsidy of \$30,000,000, say 6,000,000 pound sterling. Of this sum the interest of 2,250,000 pound sterling, which, by the transference of the Fortification Loan to the same account, became eventually 3,800,000 pound sterling, was guaranteed by the Imperial Government.

The session closed on the 14th June. Parliament was dissolved on the 8th July. On the 25th June I arrived in the country, and became personally cognizant of many of the events I now proceed to record.

From the 15th of July to the 12th of October the elections were being held. As soon as they were concluded Hon. Sir John A. Macdonald returned to Ottawa, and the Canadian Pacific Railway became a frequent topic of conversation between us.

My government never seem to have favoured the idea of giving the contract to either of the rival companies who were then competing for the preference. In Senator Macpherson's Company an Ontario interest was very strongly represented; in Sir Hugh Allan's, a Quebec interest predominated. The contemplated undertaking would evidently tax the resources of the country to the utmost. It would be undesirable, therefore, Sir John argued, that any Canadians desirous of putting their shoulders to the wheel should be excluded, and a fusion of the two companies as provided for in their incorporation Acts and contemplated by the Act of Parliament was the object to be attained. Into the intricate and somewhat obscure negotiations which then ensued between Mr. Macpherson and Sir Hugh Allan at the instance of my Government I need not enter.

They are sufficiently displayed in the Blue Book which I subjoin, and which I have marked for reference. It suffices to say that notwithstanding Hon. Sir John A. Macdonald's efforts to bring the parties to an understanding, the negotiation altogether failed, principally, as it was alleged on the one side, because Sir Hugh Allan had not really broken off his connection with the American interest, and, on the other, because Mr. Macpherson was not willing to recognize the claims to the chairmanship of Sir Hugh Allan, whose pretensions my Government were disposed to favour, in consideration, as they stated, not only of his influential position in the Province of Quebec, but as having been the first Canadian in the field to associate himself with the enterprise.

In reference to this point I may observe that, although I have no means of knowing either when or to what extent my ministers may have pledged themselves to favour Sir Hugh Allan's election to the chairmanship, the selection of such a person, the originator of the oceanic line of communication between Great Britain and Canada, a gentleman who might fairly be regarded as the representative capitalist of the Dominion, and who would be more likely than any other to make an impression upon the English money market, was a choice which at that time few seemed disposed to question.

Baffled in their efforts to effect the amalgamation they desired, Hon. Sir John A. Macdonald and his colleagues announced their intention of promoting the formation of a new and independent company, out of whatever elements of strength were to be found throughout the Dominion, and shortly before the meeting of the new Parliament in March, a Board of Directors was constituted, which included not only some of the leading promoters of the two defunct companies, but representative men from each of the Provinces of the Dominion. Of this Board Sir Hugh Allan seems to have been elected chairman, as a matter of course, and to the company it represented the charter was eventually issued.

In previous despatches I have already described to your Lordship the precautions which were taken to prevent any American interest or foreign capital ever obtaining control over the concern. I am not sufficiently conversant with railway financing to assert on my own authority that the restrictions introduced into the charter with this view are sufficient for their purpose. Money, like water, has a very narrow shoulder, and will find its way wherever it is likely to fructify, but as far as I can judge, every reasonable precautions seems to have been taken. All the directors must be British subjects, the President and the majority of the directors must reside in Canada, and though the shares are transferable, no transfer can be made for the first six years without the consent of the Government, nor after six years without the consent of the directors, the transfer in both cases being registered in the books of the Company.

Another subject which seemed constantly to preoccupy the mind of my Prime Minister at this time was the necessity of preventing any one individual, or any one interest or combination of interests, whether represented by Sir Hugh Allan, or another, from acquiring a predominant influence on the directory. Here again, I am not

sufficiently familiar with the arcana of Boardrooms to know whether the adjustments on which Sir John relied were as effectual for the purpose as they appeared to me to be, but I may observe that although the scrutiny of Parliament was directed, under the light of subsequent events, to these special perils, neither House has expressed dissatisfaction with the provisions of the railway charter, or the *personnel* of the governing body. On the contrary, up to the last moment of the session, on repeated occasions Parliament continued to manifest its confidence in those who framed the one and constituted the other.

If, therefore, as is alleged, a corrupt modification of the Pacific Railway Charter to the advantage of Sir Hugh Allan and his American friends was the consideration, for which these personages squandered the enormous sums asserted to have been spent, it would seem that they have scarcely obtained their money's worth, a result I should imagine foreign to the experience of such shrewd men of business.

But though the Parliament of Canada thus unmistakably ratified the railway policy of my Ministers, its verdict on the subject was not destined to pass unchallenged. On the 2nd of April, Mr. Lucius Seth Huntington, a distinguished member of the House of Commons, startled his immediate auditory as well as the whole political world of Canada, by the unexpected introduction of the following motion: Hon. Mr. Huntington moved—"That Hon. Mr. Huntington, a member of the House having stated in his place that he is credibly informed and believes that he can establish by satisfactory evidence;

That in anticipation of the legislation of last session as to the Pacific Railway, an agreement was made between Sir Hugh Allan, acting for himself and certain other Canadian promoters, and G.W. McMullen, acting for certain United States capitalists, whereby the latter agreed to furnish all the funds necessary for the construction of the contemplated railway, and to give the former a certain percentage of interest in consideration of their interest and position, the scheme agreed on being ostensibly that of a Canadian Company, with Sir Hugh Allan at its head;

That the Government were aware that negotiations were pending between these parties;

That subsequently an understanding was come to between the Government and Sir Hugh Allan and Mr. Abbott, M.P., that Sir Hugh Allan and his friends should advance a large sum of money for the purpose of aiding the elections of Ministers and their supporters at the ensuing general election, and that he and his friends should receive the contract for the construction of the railway;

That accordingly Sir Hugh Allan did advance a large sum of money for the purpose mentioned, and at the solicitation and under the pressing instances of Ministers;

That part of the monies expended by Sir Hugh Allan in connection with the obtaining of the Act of incorporation and the charter were paid to him by the said United States capitalists under the agreement with him.

It is ordered that a Committee of seven members be appointed to inquire into all the circumstances connected with the negotiations for the construction of the Pacific Railway, with the legislation of last session on the subject, and with the granting of the charter to Sir Hugh Allan and others, with power to send for persons, papers, and records, and with instructions to report in full the evidence taken before it and all proceedings of said Committee."

The motion was negative.

As I have already remarked in a previous dispatch. No. 116, May 3rd, the charge thus brought against my Government was very grave, viz, that they had trafficked with foreigners in Canada's most precious interests in order to debauch the constituencies of the Dominion with the gold obtained as the price of their treachery. In making these allegations, however, Hon. Mr. Huntington did not enforce them by any confirmatory statement or by the production of any *prima facie* proofs of their validity. He merely read his motion and sat down. Neither Hon. Sir John A. Macdonald nor any of his colleagues having risen to address the House, a division was taken without debate, which resulted in a majority of 31 for the Government in a House of 183.

Notwithstanding this display of their Parliamentary strength, which I imagine was put forward by way of protest against Hon. Mr. Huntington's appeal to his own mere *ipse dixit*, my Government felt that the matter could not thus be disposed of, and accordingly the next day Hon. Sir John A. Macdonald gave notice of the following motion, which was carried on the ensuing Tuesday, April 8th:—

On motion of the Right Hon. Sir John A. Macdonald, that a select committee of five members (of which committee the mover shall not be one) be appointed by this House, to enquire into and report upon the several matters contained and stated in a resolution moved on Wednesday the 2nd of April instant, by the Hon. Mr. Huntington, member for the County of Shefford, relating to the Canadian Pacific Railway, with power to send for persons, papers and records, to report from time to time, and to report the evidence from time to time, and, if need be, to sit after the prorogation of Parliament.

The members to compose the Committee were then named by the House as follows:—Hon. Mr. Blanchet, Hon. Mr. Blake and Hon. Messrs. Dorion (Napierville), McDonald (Pictou), and Mr. Cameron (Cardwell).

Of the five above-mentioned gentlemen, three—viz, Mr. Cameron, Mr. McDonald and Mr. Blanchet—may be regarded as regular supporters of the Administration, and two—Mr. Blake and Mr. Dorion—as leading members of the Opposition.

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On the debate which took place on this motion, I am informed by my Prime Minister—and here I must remind your Lordship that I have no other means of acquainting myself with what takes place in the House, as I am precluded from being present at its proceedings, and the newspaper reports are quite untrustworthy—that Hon. Mr. Mackenzie, leader of the Opposition, as well as Hon. Mr. Blake, Hon. Mr. Dorion and Mr. Joly, eminent members of the same party, expressed themselves of the opinion that the evidence tendered should be on oath, and the former gentleman further suggested, it being doubtful whether the Committee could sit after the House was once prorogued, that a Bill should be introduced expressly enabling it to do so. I shall have occasion subsequently to refer to this latter circumstance, as the necessity for sworn testimony in respect of such grave charges was generally obvious, an Oaths Bill was introduced into the House of Commons on the 18th of April, was passed through the Senate on the 29th, and received the Royal assent on the 3rd May. The time occupied in getting this measure through Parliament was pronounced unnecessarily long by many members of the Opposition.

Into the motives which induced me to sanction the Oaths Bill, and to its subsequent history, I did enter—the former is stated in my despatch of the 3rd May, (No. 116) and the latter is recorded in your lordship's communication of June 30, (No. 198)—but I may observe, in passing, that among other respects in which my conduct has been criticized, the fact of my having communicated to you by the first opportunity a certified copy of the Oaths Bill, has been a very general point of attack. I apprehend it will not be necessary to justify myself to your Lordship in this particular. My law advisers had called my attention to the possibility of the Bill being illegal. Had perjured testimony been tendered under it, no proceedings could have been taken against the delinquent; and if under these circumstances I had wilfully withheld from the Home Government all cognizance of the Act, it would have been a gross dereliction of duty. To those in this country who have questioned my procedure, it will be sufficient to reply that I recognize no authority on this side of the Atlantic competent to instruct the Governor General as to the nature of his correspondence with Her Majesty's Secretary of State.

In the meantime the Committee had met, and on the 5th of May had resolved amongst other things—"That in view of the absence of Sir George Cartier and the Hon. J.J.C. Abbott, and the impossibility of the investigation, with which the Committee is charged, being carried on in a proper manner without an opportunity being afforded these gentlemen of being present and hearing the testimony adduced, it was advisable that the Committee should adjourn until Wednesday, the second day of July, if Parliament should be then in session" a conclusion which appears to have been arrived at in the Committee by a majority of three to two. On the following day these recommendations were adopted by the House of Commons on a vote of 107 to 76.

The ordinary business of the session being now nearly concluded, and it having been admitted, I understand by all parties that the Committee could not sit after prorogation, it was arranged that the House should adjourn to such a day beyond the second of July as

would enable the Committee to complete the investigation, and to frame their report. The date eventually determined on was the 13th of August, which was also settled as the day on which Parliament was to be prorogued.

As the nature of the understanding at the time in respect of this latter event has been warmly controverted, it is necessary that I should here acquaint your lordship with the facts of the case so far as I am cognizant of them. Early in May, I forget the exact day, Sir John Macdonald waited upon me in my office, and having communicated to me the arrangements contemplated for the convenience of the Committee, informed me that he wished to take my pleasure as to the date of prorogation, mentioning the 13th of August as the one he desired to suggest. Having received my assent to this proposal, he repaired to the House of Commons and announced from his place as leader of the House and the person responsible for the conduct of public business, that Parliament would be prorogued on the 13th of August, stating, as he affirms, in the most distinct terms that the "reassembly of Parliament on that day would be *pro forma*, that no business would be done beyond the reception of the report of the Committee which could then be printed with the evidence and go before the country, that the members would not be required to return, and that only the Speakers of the two Houses need be in their places". The only observation elicited by this announcement proceeded from Hon. Mr. Holton, an Opposition member, who remarked "that to do any business, there must be a quorum, and that he and a quorum would be there", to which, Sir John informs me, he replied that, "if a quorum was necessary, a sufficient number of members would be found in the neighbourhood of Ottawa"—a quorum consisting of the Speaker and nineteen others. It was upon this understanding, Sir John assures me, that the House consented to adjourn, and, in confirmation of his assertion, he has communicated to me the subjoined letter from Mr. Palmer (St. John). (Here follows Mr. Palmer's letter, which has been already published.)

As far as my opinion is concerned, I am quite clear that it was the desire and expectation of Parliament that the prorogation should take place at the time mentioned. Every member must have known that Sir John's announcement on the subject was an intimation of the pleasure of the Crown through its official organ in the House, and that the Prime Minister could only have made it after receiving my authority to do so. Formerly the intentions of the Sovereign on this subject were conveyed to either Chamber by a written message, but, though a verbal communication through the first Minister has been now substituted, it does not render this latter mode of communication less formal or official. Had, therefore, the House of Commons desired to prolong the session beyond the 13th of August, its proper course would have been to have communicated its wishes to me by an address, though the fact that no motion to this effect was even suggested was sufficiently conclusive, there are other circumstances which indicate more or less distinctly the feeling of the House. The motion originally appointing the Committee and carried on the 8th of April ordered it to sit, if need were, after the prorogation, and more than one member of the

Opposition urged the propriety of a Bill being introduced to enable it to do so. Clearly, therefore, when this motion was carried, and the suggestions made, the majority who passed one and the individuals who proposed the other, must have contemplated the probability of the report of the Committee being considered not in the present, but in a subsequent session of Parliament. Indeed, the mere fact of prorogation being fixed for the 13th of August implies this much, for it is not to be presumed that the House would have preceded to consider the report until both it, and the evidence upon which it was founded, had been printed and distributed to the members; but to enable this to be done an interval of a few days after Parliament had re-assembled and had received the report, would manifestly have been required before action could have been taken upon it. If, therefore, Parliament had contemplated considering the report during the current session, it would have desired a later date to be fixed for prorogation than that on which the mere manuscript copy of the report was to be laid on its table.

Again, when Mr. Dorion moved in amendment to the motion for the Committee's adjournment to the 2nd of July, that "inasmuch as the Committee will have no power, either to enforce the attendance of witnesses, or to compel them to give testimony without the action of the House, it is essential to the proper conduct of the investigation that it should be prosecuted under circumstances that will admit of the prompt exercise of the authority of the House; it is therefore necessary that the House should sit on the day to which the Committee has leave to adjourn", the House decided against him by a majority of 101 to 66. One of the representatives from British Columbia, as I am informed, protested against members from the more distant Provinces in the Dominion being required to return to Ottawa so late in the summer as the 2nd of July.

But the intention of the House is still further exhibited by the following circumstance. During the session a Bill was passed increasing the indemnity paid in this country to members of Parliament for their attendance. Into that Bill a clause was introduced to the following effect:—"The said amendments shall apply to the present session of Parliament, and if either House shall adjourn for more than 30 days, such adjournment shall, for the purposes of such Act be equivalent to a prorogation." This provision was intended by its authors to enable members to receive their salaries and travelling expenses on the 23rd of May, the day on which Parliament adjourned, without having to wait for the 13th of August, the day named for prorogation. I may also mention that the same day, i.e., on the 23rd of May, I came in state to the Senate Chamber to give my assent to the Bills of the session, and in view of a progress I intended to make through the Maritime Provinces during the summer, I provided, before leaving Ottawa, for the prorogation of Parliament by Commission, in order to spare myself the labour and fatigue of a journey of 2,400 miles for what I understood would be a mere formality.

From the foregoing narrative your Lordship will probably agree with me in the conclusion that up to the time when the Houses adjourned, it was clearly the wish and the expectation of Parliament

that the prorogation should take place on the 13th of August, and it is most noted that this should have been the case. The commercial business and the agricultural operations of the year have to be crowded into five short months of summer. Almost every member of both Houses in this country is actively engaged in business pursuits, requiring his personal attendance. To be detained from home at this season, implies not only extreme inconvenience, but pecuniary loss. Already the lateness of the current session had caused considerable discontent, and it had been expressly determined by the House that in future the session should never begin later than the first week of February. The distance from Halifax to Ottawa is something like 1,200 miles from Victoria, in British Columbia, it is 4,000 miles. This re-assembly of Parliament in August for the transaction of business would have cut up the entire summer, as far as many members were concerned, and would have been more or less inconvenient to all but those who reside within a day or two's journey of Ottawa. The majority in the House of Commons appear to have attached but little significance to Hon. Mr. Huntington's accusations, for they negatived his motion without even requiring my Ministers to reply to it, and I do not imagine that any one of them contemplated a renewal of the session on the 13th of August, but though the conduct of the majority, who confided in the Government, is readily understood, the procedure of the members of the Opposition is more difficult to explain. They had in their possession, it is to be presumed, what they considered convincing proofs of the corruption of the Ministers. The matter had been referred to the adjudication of a Committee, and according to the theory of prosecution could have but one result. Strong in these convictions, they should never have allowed the announcement of prorogation to have passed unchallenged, but should have resorted to every means known to the Constitution by which such a consummation could have been precluded. Indeed, so obvious was their duty in this respect, that their opponents have attributed to them a deliberate intention of allowing the disposition of the majority to take place *sub silentio*, with a view to the packing of a House with their own adherents on the day to which it had adjourned, an operation to them exceptionally favourable, as the Parliamentary strength of the Ministers lies principally in the maritime and outlying Provinces, while their own is close at home, in the central region of Ontario and Quebec. The subsequent publication in the newspapers of documents now known as the Allan and McMullen correspondence, is pointed to as having been a move in aid of the same unworthy policy, by supplying a sudden and unexpected pretext for insisting on the immediate intervention of Parliament at a time when the Ministerial supporters were dispersed.

I do not, however, myself attach the slightest credit to this injurious transaction, although undoubtedly party strife is conducted in this country with less reticence and generosity than at home; and although combatants "strike below the waistcoat" more frequently than could be wished, my personal knowledge of the leaders of the Opposition convince me that such a design would be quite foreign to their natures. My own opinion is that from first to last they found themselves impeded by the initial mistake in tactics,—as I ventured

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at the time to consider it,—committed by Mr. Huntington in not re-enforcing his motion by the production of some of the documents on which it was founded. Had he done so, Parliament would undoubtedly have listened to him with greater respect, and Hon. Mr. Dorion's motion might perhaps, have been carried: for though Mr. Huntington's case is far from being proved, no one can now deny that if he was in possession of the Allan correspondence at the time he demanded his committee, he had a right to require an investigation of the suspicious circumstances thus brought to his knowledge. The premature disclosure of his hand could not have been the objection, for sufficiency of *pièces justificatives* for his purpose, have since been produced. As it was he could not convince the House of the urgency of affairs, and discouraged by their repeated defeats the Opposition, I imagine, gave up all hopes of being able to persuade Parliament to dispute the arrangements of the triumphant Minister. Be that as it may, it is certain that the day after the adjournment most of the members of both Houses dispersed themselves in different directions, some to their homes, some to the States and some to Europe, without any more intention of returning to Ottawa on the 13th of August, than myself.

On the 2nd of July, Mr. Cameron's committee met in Montreal, but in the meantime it had received an intimation from your Lordship that the Oaths Bill had been disallowed by the Queen in Council, and I had made the fact publicly by proclamation.

Immediately on the receipt of this intelligence, communications passed between Sir John Macdonald and myself as to the course to be pursued. Sir John was inclined to issue a commission to the members of the Committee, but as he hesitated to do so, from an unwillingness to expose the Crown to the rejection of its mandate, I addressed him in the following terms:—

“The Citadel, Quebec,

“June 28, 1873.

“I beg to acknowledge the receipt of your letter of the 19th. I am sure you are quite right not to allow the Committee to be postponed beyond the time originally fixed for the opening of its proceedings.

On the part of the Crown I should have no objection to the offer of a commission as you propose, and I think you may with perfect propriety act upon the presumption that the members of the Committee will accept the charge confided to them.

The Government has stretched its legal conscience and encouraged Parliament, though not without warning, to exceed its legitimate powers in order to facilitate this enquiry. The obstacle now interposed is one with which you have no concern and beyond your control. You propose to obviate the difficulty by the only means in your powers, but a means both legitimate and effectual. No one can doubt that for the purpose for which the Committee was originally constituted, its conversion into a commission can make no practical difference. As a commission it will take evidence, and as a committee it will report upon that evidence to the House. It would be unreasonable to allege that in discharging this double function, and in acquiring, in addition to the powers delegated to it

by Parliament, a technical authority at the hands of the Crown, to take evidence by oath, it abates one title of its constitutional independence.”

Thus authorized, Sir John communicated with Mr. Cameron in the following terms:—(Here follows Hon. Sir John A. Macdonald's letter to Hon. Mr. Cameron (Cardwell) and the replies of Messrs. Dorion and Blake refusing to accept the Commission.)

I do not presume to question for a moment the propriety of the course adopted by those gentlemen. As members of the House of Commons, they may have had a more acute appreciation of their Parliamentary obligations than had occurred to my apprehension; but I trust that your Lordship will not consider that I acted wrongly in this endeavouring to forward the enquiry by what I considered an opportune expedient.

The Committee being thus precluded from swearing in their witnesses, a motion was made by Mr. Dorion, supported by Mr. Blake, that they should content themselves with unsworn testimony; but the majority, considering themselves debarred from this course by the express instructions of the House upon that point, they determined to adjourn until the thirteenth of August.

This resolution was taken on the 3rd of July, the day after there appeared in the Montreal *Herald* a series of letters and telegrams written by Sir Hugh Allan to a Mr. McMullen, and to a Mr. Smith of Chicago, and to some unknown person in the United States in reference to the Canadian Pacific Railway. The day following a long statement on the same subject, in the form of an affidavit, was issued by Sir Hugh Allen, in another newspaper. I have already had the honour of forwarding to Your Lordship both these documents but I think it well to append them to this despatch for the convenience of reference. It is not necessary for my present purpose that I should either analyse or contrast the conflicting assertions observable in these productions. It will be sufficient to note that not only does Sir Hugh Allan admit upon oath that the language of his letters is “inaccurate”, but he also denies in the most positive manner that correctness of the inference sought to be deduced from them. On the whole, as far as I could gather from the tone of the press and from conversation, these revelations rather improved than otherwise the position of the Ministry. On the one hand, Sir Hugh Allan's letters accounted for and justified Mr. Huntington's pertinacity; on the other, his affidavit, or rather Sir John Macdonald's telegram, quoted in the affidavit, satisfactorily proved that so far from yielding himself or allowing his colleague, Sir George Cartier, to yield to pressure put upon him by Sir Hugh Allan in the height of the election contest, my Prime Minister had required the immediate and complete cancelling of an arrangement favourable to Sir Hugh, to which Sir George had evinced a willingness to subscribe. In illustration of this point I subjoin Sir George Cartier's letter, as well as Sir Hugh Allan's reference to Sir John Macdonald's telegram concerning it:—

(Copy.)

"Montreal, 30th July, 1872.

"Dear Sir Hugh,—

I enclose you copies of telegrams received from Sir John A. Macdonald and with reference to their contents, I would say that, in my opinion, the Governor-in-Council will approve of the amalgamation of your Company with the Inter-oceanic Company, under the name of the Canadian Pacific Railway Company, the Provincial Board of the amalgamated Company to be composed of seventeen members, of whom four shall be named from the Province of Quebec, by the Canada Pacific Railway Company, four from the Province of Ontario by the Inter-oceanic Railway Company, and the remainder by the Government; the amalgamated Company to have the powers specified in the tenth section of the Act, incorporating the Canada Pacific Railway Company, the agreement of amalgamation to be executed between the Companies within two months from this date.

The Canada Pacific Company might take the initiative in procuring the amalgamation, and if the Inter-oceanic Company should not execute an agreement of amalgamation upon such terms and within such limited time, I think the contemplated arrangements should be made with the Canada Pacific Company under its charter.

Upon the subscription and payment on account of stock being made, as required by the Act last session, respecting the Canadian Pacific Railway Company, I have no doubt but that the Governor General in Council will agree with the Company for the construction and working of the Canada Pacific Railway with such branches as shall be agreed upon, and will grant to the Company all such subsidies and assistance as they are empowered to do by the Government Act. I believe all the advantages which the Government Act empowers the Government to confer upon any company will be required to enable the works contemplated to be successfully carried through, and I am convinced that they will be accorded to the company to be formed by an amalgamation, or to the Canada Pacific Company, as the case may be.

I would add, that as I approve of the measures to which I have referred in this letter, I shall use my best endeavours to have them carried into effect.

Very truly yours,
George-É. Cartier.

Extract from Sir Hugh Allan's affidavit of July 5th:—

On the same day that I received the above letter from Sir George Cartier, I informed Sir John A. Macdonald of the contents of it, and asked for his sanction of the views which it contained, but he declined to concur in the terms of Sir George's letter telegraphing to him that he would not agree to them and that he would come down to Montreal and confer with him respecting them. Thereupon

I immediately informed Sir George Cartier that I should consider the letter addressed to me as being withdrawn, and to my knowledge Sir George telegraphed Sir John that he had seen me and that as he (Sir John) objected to Sir George's letter, it had been withdrawn. I also telegraphed to Sir John on the same day (July 31st) to the effect that I had seen Sir George Cartier and that he (Sir John) might return my letter and regard it as waste paper, and that I was satisfied with the telegram of the 26th as expressive of the views of the Government."

But any reaction in favour of the government which might have thus set in was more than counter balanced by the appearance of another series of letters, which I also re-append, and which are now generally known as the McMullen correspondence. Amid these productions there have been introduced documents of a very compromising character, the one a letter from Sir George Cartier asking for \$20,000 more dollars, and the other a telegram from Sir John Macdonald demanding an additional \$10,000. These latter I subjoin:—

"Montreal, August 24, 1872.

"Dear Mr. Abbott:—In the absence of Sir Hugh Allan, I shall be obliged by your supplying the Central Committee with a further sum of twenty thousand dollars upon the same conditions as the amount written by me at the foot of my letter to Sir Hugh Allan of 30th ultimo.

(Signed)

George-É. Cartier.

P.S. Please also send Sir John A. Macdonald \$10,000 more on the same terms.

"Toronto, August 26, 1872

To the Hon. J.J.C. Abbott, St. Anne,

Immediate. Private.

I must have another \$10,000, will be the last time of calling, do not fail me. Answer today.

(Signed)

John. A. Macdonald.

But on the appearance of the foregoing documents, I doubted whether so great an impression would have been produced on the public mind by the statement of Mr. McMullen. I myself have no knowledge of the gentleman, and have no right to impeach his veracity, but it is manifest that many of his assertions are at

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variance with Sir Hugh Allan's sworn testimony, while others have been contradicted by gentlemen whose credibility it would be difficult to impugn. Even with regard to documents themselves, it is to be observed that they were neither addressed by Mr. McMullen, nor to any one with whom he was associated, and that they could scarcely have come into his possession by other than suspicious men. They do not, therefore, necessarily connect themselves with those nefarious transactions to which Mr. McMullen asserts he was privy. It is further contended by friends of the Government that the sums mentioned or referred to were not very large, about 12,000 pounds sterling in all, an amount which would go but a little way to defray the legitimate expenses of 150 Ontario and Quebec elections, and that there was nothing to show whether they had been proffered as a subscription or as a temporary loan from a wealthy political partisan. Their sinister significance resulted, in a great measure, from their juxtaposition with Mr. McMullen's narrative. Under these circumstances, though without attaching too much importance to mere conjectural plans of this kind, I was unwilling to jump to a hasty conclusion on a matter involving both the private and the public honour of Ministers, and above all things, I felt bound not to allow my judgment to be swayed by the current of popular suspicion which this concatenation of documents would naturally produce.

I happened to be at Prince Edward Island when the McMullen correspondence reached my hands, whither two of my Ministers, Mr. Tilley, the Minister of Finance and Dr. Tupper, the Minister of Customs, had also come for the purpose of settling certain details, consequent on the recent confederation of the Island. I immediately sent for these gentlemen, and the strenuous assurance I received from each of them confirmed my hope that matters might be satisfactorily explained; but, however that might be, I knew that our original programme for an indefinite prorogation of Parliament could no longer be adhered to, and that my presence at Ottawa on the 13th of August was imperative. Understanding, however, that preparations were in progress for our public reception at Halifax, I thought it better to proceed thither, and to make no announcement of my subsequent intentions until the last moment. At the same time, I wrote to Sir John, and intimated to him that the position of affairs had changed since we parted; that a recess for the usual period was no longer possible, and that it was necessary Parliament should be provided with as early an opportunity as circumstances permitted of pronouncing on the points at issue between himself and his assailants.

On reaching Halifax on the 29th of July, I found the popular excitement all over the Dominion was intense, and that my supposed views, sympathies, and intentions were becoming not merely the subject of conjecture, but of assertion and comment in the rival newspapers, the Government press stating, as if upon authority, that my course would be so and so, announcements which were met by the Opposition prints with strong admonitory or rather minatory, articles. As at this time I had by no means made up my mind as to the proper course to be pursued and felt that no decision was possible until I had seen my Minister, I determined to take an

early opportunity of deprecating the introduction of the Governor General's name into such a controversy. An occasion soon presented itself, and I have the honour to subjoin an extract from a newspaper report of a speech I made at a dinner given to me by the Halifax Club. (Here follows the speech referred to.)

But though keeping my final decision in suspense, my mind was much occupied, as your Lordship may imagine, with the consideration of various courses open to me. One point was quite clear, namely, that it would not be right for me to countenance the settlement of serious issues raised between my Ministers and their opponents, involving, as they did, the personal honour of the most eminent men in Canada, the fate of my Ministry, and the public credit of the country, except at the hands of a full Parliament, in which the distant Provinces of the Dominion were as well represented as those of Ontario and Quebec.

As I have already described to Your Lordship in an early part of this dispatch, before Parliament adjourned on the 23rd of May, I had caused it to be announced to both Houses that the prorogation would take place on the 13th of August. This arrangement, I have no hesitation in saying, was agreeable to what were then the views of the majority, both in the Senate and in the House of Commons. On the faith of this pledge many gentlemen had gone to so great a distance that it was physically impossible for them to be recalled, and it so happened, from causes to which I have already referred, that by far the larger proportion of these absentees were supporters of the government. All the members from British Columbia, except Sir Francis Hincks, were on the wrong side of the Rocky Mountains. Some Ministerialists were in Europe, as I was informed, others in the States, and even to those in the Maritime Provinces, a return to Ottawa, though not physically impossible as it was to their colleagues, would prove a great inconvenience at such a season. On the other hand, I learned that the Opposition were mustering their full force, an operation for which they possessed certain geographical facilities. Were therefore the House of Commons to meet for the transaction of public business, it was evident that important votes might be passed, and decisions taken contrary to the real sense of the country, and that my ministers might justly complain that they were being unfairly treated, and their fate determined by a packed Parliament.

But apart from these practical considerations, a grave question of principle seemed to me involved. The Imperial officer representing the Crown in the Dominion, is the natural protector of the federal rights of its various Provinces, as secured under an Imperial Act. The sanctity of the rights of any one of these Provinces is not affected by the number of its representatives or the amount of its population. In this view, it is especially necessary that in a country of such enormous distances ample notice should be given of the times and seasons when Parliament is to sit; but if it be once admitted that the official fixtures which regulate the opening and closing of a session and the conduct of public business are to be capriciously tampered with and changed at so short a notice as to preclude the distant representatives from being present, it is evident much wrong and inconvenience would result and the door be

opened to a great deal of trickery at the hands of an unscrupulous minister.

The foregoing considerations pointed pretty distinctly to prorogation as an inevitable necessity of the situation. Only one other alternative, indeed, either suggested itself then or has occurred to me since, and that was another adjournment of the House to such a date as would suit the convenience of the absentees. At first I confess, this course appeared to me fairly practicable, but further reflections disclosed difficulties I had not at once seen. In the first place, this was an arrangement which I had not the power of enforcing, and I was confronted by the obvious reflection that if the Government made a motion to that effect it might be defeated or met with an amendment tantamount to a vote of want of confidence at the hands of the majority then present, and I should then find myself landed in the very position which I was quite satisfied ought to be avoided. Even if the opponents of the Government were to refrain from taking so unfair an advantage of their numerical superiority, it was evident that, in view of the adjournment, preliminary issues would crop up of vital importance relative to the fresh instructions to be given to the Committee; for instance, whether the evidence was to be sworn or unsworn, and if the former, how the oath was to be administered, all of which would necessarily be decided in a manner unduly adverse to the Government, and in the absence of those who had an undoubted right to make their voices heard on the occasion. I was so anxious, nevertheless, to find some way of avoiding a course which I foresaw would be denounced, however unjustly, as an undue exercise of the Queen's prerogative, that I thought it desirable to make a suggestion in this sense to Sir John A. Macdonald, offering at the same time to become the channel of communication to which an understanding between him and his opponents might be arrived at. Sir John's reply was very much in the sense I had anticipated. He insisted upon the injustice of his Government being given over, bound hand and foot, to the tender mercies of their opponents in the absence of his supporters, whom he had dismissed to their homes with my sanction and with the acquiescence of Parliament. He called my attention to the fact that the Opposition organs, far from hinting at any compromise, were insisting on the fact that a quorum of Parliament could do anything that Parliament itself could do, and were evincing by unmistakable signs that they would show no quorum; that both Messrs. Blake and Dorion had endeavoured to persuade the Committee to content themselves with unsworn evidence, and that if Parliament met for business they would be in a position to pass an instruction to the Committee to that effect; that no man would be willing to risk his life, still less his honour, in the hands of a witness released from the consequences of perjury; and finally, that he would not feel himself safe in entering into any arrangements dependent upon the *bona fides* of those with whom I had suggested he should treat.

Unfortunately, in this country party animosity is intense, and the organs of each side denounce the public men opposed to them in terms of far greater vigour than those to which we are accustomed in England. The quarrel at this moment is exceptionally bitter. The one party openly accuses the other of personal dishonour, while

these regard their opponents as unscrupulous conspirators. As a consequence, a mistrust of each others' fair dealing, which I cannot believe to be justified on either hand, has been engendered, which would render the role of mediator under any circumstances extremely difficult. As it was, the former part of Sir John's representations, if not the latter, coincided too closely with what had occurred to my own mind to enable me to deny its cogency. There being, however, no further time for correspondence I left Halifax on Saturday night, 9th of August, and arrived in Ottawa on the morning of Wednesday, the 13th. Had I been at liberty to have done so, I should have preferred starting sooner, but the town of Halifax had organized a series of popular demonstrations in our honour for Saturday afternoon, and it would have occasioned great dissatisfaction had I absented myself.

Before continuing my narrative, there is one incident connected with my stay at Halifax, which, perhaps, ought to find mention here. Mr. Huntington sent me a sealed packet, covered by an official communication to my Secretary, which, as I understood from the gentleman who brought it as well as from Mr. Huntington's letter, contained copies of the incriminatory documents in his possession. As the matters to which the papers referred had become the subject of a public investigation before the House of Commons Committee, and as I was still uncertain what turn affairs might take, I did not consider it would be proper for me to take personal cognizance of these papers; I therefore returned the packet unopened to Mr. Huntington.

The 13th of August was not only the day appointed for prorogation, but it was also the day to which the Committee of enquiry had adjourned; but as far as I can gather from the subjoined report of what occurred, it came together to very little purpose. Indeed its whole procedure on this occasion is difficult of comprehension, in consequence, I suppose, of the meagreness of the only report of what passed which I have been able to obtain.

In the first place, only four out of the five members were present, and eventually another, Hon. Mr. Dorion, withdrew in the middle of a discussion, having what are considered the Government members in a majority. One of these, Hon. Mr. Blanchet, then proposed that they should report their proceedings to the House. Hon. Mr. Blake, in amendment of this suggestion, moved the adjournment of the Committee, which was carried, the result being that when the House met at three o'clock, as had been arranged six weeks before, for the very purpose of receiving the Committee's report, no report of any sort or description was forthcoming. The following is the account of the proceedings referred to:—

“Ottawa, August 13th—

The Pacific Committee met at 11:30. Present—Messrs. Cameron, Blanchet, Blake, Dorion.

At the request of Mr. Blake the resolution passed by the Committee at last meeting, that the Committee cannot proceed without further instructions from the House, was read.

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Mr. Blake moved that the said resolution be rescinded.

Yeas—Blake, Dorion.

Nays—Cameron, Blanchet.

Resolution lost.

After some conversation as to the Committee making a report to the House,

The Chairman said, if Mr. Dorion and Mr. Blake were not in favour of making a report, and withdrew because they thought no report should be made, the majority of the Committee would not make any report.

Mr. Dorion said he wanted a report to be made, but did not concur with the majority.

The Chairman: All we propose to do is simply to report our proceedings to the House. If you don't like that report, we need not make any at all.

Mr. Dorion: If I move any amendment, I would stop the report from being made.

The Chairman: It is impossible for me to tell the result of merely reporting our proceedings to the House. But if you don't think any report of our proceedings should be made, I have no objection that it be so resolved. My own impression is that as we reported all our former proceedings to the House, there is no objection to our also reporting those which have taken place since the last meeting of the House.

Mr. Dorion said he would not interfere with such a step.

The Chairman: Then I suppose it is so resolved, and we have completed our business.

Mr. Blake: No, there is a quorum present, and any amendment is in order. I move that the House be asked to give such instructions to the Committee as will enable them to proceed with the enquiry.

Mr. Dorion here withdrew from the room, and the motion was carried unanimously by Messrs. Cameron, Blanchet, and Blake.

Mr. Blake enquired of the Chairman: Do you propose to give the House communication of this resolution?

The Chairman: Not unless you move it to be done.

Mr. Blake: Do you propose to communicate any of the previous proceedings?

The Chairman: I do not.

Mr. Blanchet: I think we should report our proceedings. I move that the proceedings of the Committee since the 17th day of May last be reported to the House.

Mr. Blake: I move an amendment that the Committee adjourn till eleven o'clock tomorrow. Carried. Yeas—Blake, Cameron; nay—Blanchet.

The Committee then adjourned."

A few hours after my arrival in Ottawa Sir John Macdonald called upon me by appointment, and formally submitted the unanimous advice of my Ministers, that Parliament should be prorogued according to the announcement made by my authority in both Houses previous to its adjournment. After some conversation, in which we went over the whole ground, and again examined the suggestion contained in my letter relative to an adjournment, I finally announced to him, that on a due consideration of all the circumstances of the case the prorogation of Parliament seemed to me inevitable, that I did not feel myself justified in withdrawing any confidence from my Ministers or in concluding that Parliament had done so, and that, therefore, I was prepared to be guided by the counsels of himself and his colleagues, but that I must formally insist on one condition, as the price of my assent to prorogation, viz:—That Parliament should be again convoked within as short a period as was consistent with the reasonable convenience of the members, and that I considered six or eight weeks was as long an interval as should intervene before the House re-assembled. Sir John A. Macdonald did not offer any objection to this proposition; indeed he had already volunteered a suggestion to a similar effect, and it was agreed that I should meet my Council at 2 o'clock in order that it might be ratified in the presence of all my Ministers.

At one o'clock, however, I was unexpectedly informed that a deputation of members of Parliament was desirous of waiting upon me with a memorial against prorogation. I had not received the slightest intimation of the intention of these gentlemen; yet, although I felt the propriety of such a step upon their part was very questionable, I concluded to receive them.

In the meantime I had repaired to the Council Chamber as agreed upon where my Ministers jointly re-submitted the advice they had commissioned Sir John Macdonald to convey on their behalf, in the morning. I made the same reply to them as to my Prime Minister, and the re-assembly of Parliament in the time specified was agreed upon. It was, however, suggested that if ten weeks were named as the limit instead of eight it would be possible to get the preparation of the Estimates sufficiently advanced to roll two sessions into one and dispense with the usual Spring session. Although I was scarcely in a position to know how far this proposal was practicable, or would be acceptable to Parliament, it would evidently prove such a saving of expense to the country, and of fatigue and inconvenience to members, many of whom would otherwise scarcely have time to return to their homes at all between an Autumn and the usual session that I consented to the additional fortnight upon the specific understanding, however, that if in the interval anything should occur which in my opinion required Parliament to meet sooner, an expression of my wishes to that effect would be at once acted upon, without comment or discussion.

These matters being settled, I returned to where the deputation of remonstrant members was waiting for me. They were introduced by their Chairman, Mr. Cartwright, a gentleman for whom I have great esteem. In presenting the memorial, Mr. Cartwright stated that it had been signed by ninety-two members of Parliament, and that another gentleman had intimated his willingness to have his signature attached to it. I found, however, on examining the document that three of the ninety-two signatures had been affixed by deputy, though of course with the full authority of their owners. I note the circumstance, however, as I shall have occasion to refer to it hereafter.

As my interview with my Council had occupied some little time, it had not been possible for me either to study or to write my reply to the memorial. I was therefore forced to make Mr. Cartwright and his friends an extempore answer, which was afterwards reduced to writing as nearly as possible in the terms actually used. This document, together with the members' remonstrance, I subjoin for your Lordship's information.

Memorial,—

"The undersigned members of the House of Commons of Canada desire respectfully to approach your Excellency and humbly to represent that more than four months have already elapsed since the Hon. Mr. Huntington made, from his place in the House, grave charges of corruption against your Excellency's constitutional advisers in reference to the Pacific Railway contract, that although the House has appointed a Committee to enquire into the said charges, the proceedings of this Committee have on various grounds been postponed, and the enquiry has not yet taken place; that the honour of the country imperatively requires that no further delay should take place in the investigation of charges of so grave a character, and which it is the duty and undoubted right and privilege of the Commons to prosecute.

The undersigned are deeply impressed with the conviction that any attempt to postpone this enquiry, or to remove it from the jurisdiction of the Commons, would create the most intense dissatisfaction, and they therefore pray your Excellency not to prorogue Parliament until the House of Commons shall have an opportunity of taking such steps as it may deem necessary and expedient with reference to this important matter.

The number of names signed to this document is 90, within ten of one-half the House.

They are as follows:—Opposition—Messrs. Anglin, Archibald, Bain, Béchard, Bergin, Blain, Blake, Bodwell, Bourassa, Bowman, Boyer, Brouse, Buell, Burpee (Sunbury), Cameron (Huron South), Cartwright, Casey, Casgrain, Cauchon, Charlton, Church, Cockburn (Muskoka), Cook, Cutler, Delorme, Dorion (Napierville), Dorion (Drummond—Arthabaska), Edgar, Ferris, Findlay, Fiset, Fleming, Fournier, Galbraith, Geoffrion, Gibson, Gillies, Hagar, Harvey, Higinbotham, Holton, Horton, Huntington, Jetté, Laflamme, Landerkin, Macdonald (Glengarry), Mackenzie, Mercier, Metcalfe,

Mills, Oliver, Pâquet, Paterson, Pearson, Pelletier, Pickard, Pozer, Prévost, Richard, Richards, Ross (Middlesex West), Ross (Wellington Centre), Ross (Prince Edward), Ross (Victoria), Rymal, Smith (Peel), Snider, Stirton, Taschereau, Thompson, Thompson, Tremblay, Trow, White (Halton), Wilkes, Wood, Young, Young.

Ministerialists—Burpee (St. John), Coffin, Cunningham, Forbes, Glass, McDonnell, Ray, Schultz, Scriver, Shibley, Smith (Selkirk), Smith (Westmorland)."

After the members had retired, it had become time for me to proceed to the Senate Chamber, and about 3.30 p.m. the Speaker appeared at the Bar, and Parliament was prorogued. Considerable excitement afterwards prevailed in the House of Commons and cries of "Privilege" were uttered when Black Rod made his appearance, but as far as I can learn nothing was done or said incompatible with the dignity and self-respect of that assembly. Only the Ministerialists present, about 35 in number, accompanied the Speaker to the Senate Chamber. The Opposition, amongst whom, on this occasion I suppose must be included thirteen of the ordinary supporters of my Government, who had signed the memorial, remained behind in their places. Upwards of seventy members in a House of two hundred must have been absent, all of whom, with the exception of three, were claimed by government as their adherents. In the evening, what is popularly known as an "Indignation" meeting, was held under the presidency of Mr. Mackenzie. I have appended to this despatch a report of its proceedings.

I have thus recounted in as faithful language as I can command the various circumstances connected with the recent prorogation. In doing so, Your Lordship will perceive that I have not attempted to discuss, still less to defend, the action of my Ministers on any of the occasions referred to, except so far as the justification of their conduct follows as a corollary to this vindication of the attitude I myself have assumed. The propriety of their procedure is a matter which they will have to settle with the Canadian Parliament. My contention would be that the fact of their being hereafter proved innocent or guilty of the accusations alleged against them, or of having acted judiciously or the reverse, is a result which can have no relation to my share in these transactions, and that, given the circumstances in which I found myself, I have acted in the highest interests of the Parliament and of the people of Canada. In the same way, if from time to time I have argued against any of the views maintained by the Opposition, it has only been as contending against their implied condemnation of what I myself have done or said.

Were I to be put on my defence my best justification would be found in a review of whatever other courses may be considered to have been possible, but this enquiry has been pretty well exhausted in the course of the preceding statement. The alternatives I have seen suggested by those who are disposed to criticise my conduct, are indeed very few. The morning after the news of the prorogation had reached Toronto, but before my pledge in regard to an Autumn

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session was known, the *Globe*, a recognized organ of the Opposition, and one of the ablest conducted papers in Canada, in lamenting the prospect of a recess, which was to last to February of next year, observed that a prorogation for two or three weeks would have been a proper course. As I had actually anticipated both of these suggestions—for the question of a few extra weeks I apprehended could not have become any grave cause of complaint—I naturally might have repudiated being compelled in my action; but although this paper and all the other Opposition journals in Canada have, with a few exceptions, shown great forbearance to me personally, considering the excitement which prevailed and the forcible language in which leading articles are written, I am afraid I must admit to Your Lordship that its subsequent allusions to my procedure have not been eulogistic.

But if a short prorogation was wrong, what were the alternatives? An adjournment. But an adjournment is an act of the House, and cannot be compelled by the Executive. The leader of the House had already rejected the suggestion, and not the slightest intimation had ever reached me that such an expedient would be agreeable to the Opposition. On the contrary, their last word, within an hour of the time the House was to meet, as conveyed to me by the ninety-two members, amongst whom were Mr. Mackenzie and Mr. Blake, was: "Let us meet and proceed to business as though we were a fully constituted Assembly, and representing the collective will of the people."

But it has been suggested that I should on the one hand have compelled the acquiescence of Sir John Macdonald in an adjournment by refusing to prorogue, while on the other, Mr. Mackenzie ought to have been driven into the arrangement under a threat of prorogation.

Now I am quite ready to admit that one of a Governor General's duty is to moderate the animosities of party warfare, to hold the balance even between the contending parties, to see that the machinery of the Constitution is not unfairly strained for party purposes, to intervene with his counsels at opportune moments, and, when desired by his Ministers to become the channel of communication with their opponents, or even though uninvited to offer himself as a negotiator in a difficulty. But the role marked out for me above is very different from this. I certainly should not have considered it consistent with my personal honour to have approached my Prime Minister with a threat I had no intention of executing, even had I seen less clearly than I did the objections to the course proposed, while, except at his instance, I should have been still less justified in opening communications with the Opposition. But, as I have already explained, the mere negotiations of an adjournment would not have advanced matters in any degree, unless issues relative to the future proceedings of the Committee could have been settled at the same time, but the divergencies of opinion upon these points were irreconcilable, and could never have been satisfactorily dealt with except by the House in full session.

If then my choice lay, which seems to be admitted, between a short prorogation and a barren adjournment for a similar period, I

do not think it can be disputed that the former was the preferable of the two.

Of course it was always open to me to have dismissed my Ministers, and to have taken my chance of Parliament approving my conduct, but I do not feel myself warranted in hazarding such a step on the data before me. Indeed the rashness and injustice of the proceeding would probably have roused such a feeling of dissatisfaction in the minds of what I have no reason to know may not prove the majority of the constituencies, that there would have been a great chance, if Sir John and his friends came at all decently out of the affair, of their being borne back into office on the shoulders of the people. If wholly exculpated, Your Lordship can imagine what my position would become in presence of the reaction that would have ensued. At all events, as I told the remonstrant members in my reply, I was not prepared by publicly withdrawing my confidence from my Ministers, to proclaim to Canada, to America, and to Europe, that I believed untried men guilty of such atrocious crimes as those imputed to them. It is, however, not necessary to debate this line of conduct, as no responsible person in this country has ventured to recommend it.

But though not directly suggesting the dismissal of my Ministers, it has been very generally contended that I should have considered them under a ban, and should have ceased to count on their advice, though still retaining them in office. The establishment of a relationship of this kind between the Crown and its Ministers would be a novel fact in constitutional history, and might have proved difficult of execution. I was to go to my Council and say to them, "Gentlemen, you state that in your opinion the Crown has pledged itself to Parliament to prorogue on a certain day, you assert as a matter of fact that, relying on this pledge, sixty or seventy members are not in their place, and that to allow the House to proceed to business in their absence would be a gross impropriety, to which you would not consent, and that in view of this circumstance, as my constitutional advisers, placed about me by the will of Parliament, you unanimously advise me to prorogue. Well, gentlemen, when Parliament last voted you possessed a commanding majority. Whether you have lost the confidence of Parliament or not I cannot tell; you say you have not, others say you have. Your political opponents have brought grave accusations against you,—you are therefore under a ban, you have forfeited my confidence; I do not intend to take your advice except on mere questions of administration; but pray retain your places". To which, of course, these gentlemen would have replied:—"We are highly sensible of Your Excellency's forbearance; perhaps you will favour us with a list of subjects on which you will accept our recommendation, as well as an *index expurgatorius* of those which are tabooed. The arrangement will lighten our responsibilities; our salaries will remain the same, and our honour,"—I cannot exactly conjecture how the sentence would have concluded. But the suggestion that my refusal to take their advice on prorogation would not have been tantamount to a dismissal of them, is too untenable to need refuting.

Before, however, closing this head of the discussion, it may be well to examine the grounds on which it is alleged I ought to have

withdrawn my confidence from Sir John Macdonald and his colleagues. In order to answer this question we must enquire what I had to go upon. There were Mr. Huntington's statements as displayed in his motion, but those statements were not statements of facts, but of conclusions drawn from facts within Mr. Huntington's knowledge, perhaps, but not within mine, and offered no safe foothold. Next there were Sir Hugh Allan's statements; but upon which was I to found myself, upon those in Sir Hugh's letters, in which he admits there was a good deal of "inaccurate" language, or upon those in his affidavits? If upon the latter, could I have pronounced the Government guilty? Then there were Mr. McMullen's statements, but these have been much questioned and many of them have been contradicted. I do not think the people of Canada would be willing to allow the reputation of any of their representative men to be staked upon evidence of this nature. Lastly, there were Sir George Cartier's letter and Sir John Macdonald's telegram. In respect to these documents I would merely observe that suspicious as they might appear, no man would have been justified in acting upon any construction in regard to them until it had been shown with what transactions they were connected. There is as yet no evidence to prove that the sums referred to were consideration money for the Pacific Railway Charter, and Sir Hugh Allan states upon his oath they were not, as will be seen from the subjoined extract from his affidavit:—

"In these and similar ways I expended sums of money approaching the amount there mentioned in those letters, as I conceive I had a perfect right to do; but I did not state in those letters, nor is it the fact, that any portion of those sums of money were paid to the members of the Government or were received by them, or on their behalf directly, as a consideration in any form or for any advantage to me in connection with the Pacific Railway contract."

On the other hand, what were the countervailing facts within my knowledge? The theory of the prosecution is that the terms of the charter were corruptly modified to the advantage of Sir Hugh Allan and his American confederates. Has the bargain been carried out? Certainly not, and as far as the Americans are concerned, their complaint is that they have taken nothing by their motion. I was myself a witness of the pains taken to exclude them when the charter was being framed. Have Sir Hugh Allan and his friends been gratified with that control over the concern, to attain which, Mr. McMullen asserts, he bribed my Ministers? This is a fact less easy to elucidate; but I, myself, believe that he had not. At moments when Sir John Macdonald could not have been playing a part, he gave me repeated indications of his desire to prevent Sir Hugh from obtaining any commanding influence on the direction. That direction was remade with a view to a proper representation upon it on every province in Canada, regard being had to the wealth and population of each. It numbers amongst its members gentlemen who had been upon the direction of the late Inter-oceanic Company, and it includes the names of men whom everyone would acknowledge would never willingly associate themselves with any dishonourable enterprise. It is difficult to believe that these persons

are either the willing or unconscious tools of Sir Hugh Allan. Hence we must arrive at the inference that, at all events, if the crime was imagined it can scarcely have been consummated. This would not in the least excuse its authors; but if things have not been done, the fact affords *prima facie* grounds for believing that it was not intended to be done. Lastly, I have received the most solemn assurance from my Ministers, both individually and collectively, on their word as men of honour and on their fealty to the Crown as my sworn Councillors, that they are absolutely innocent of the things laid to their charge.

On a balance of the foregoing considerations, can any one say that I should have been justified in deliberately violating my first duty as a constitutional ruler on a premature assumption of the guilt of these gentlemen?

But a still more important question remains behind. Had I any means of knowing that my Ministers had forfeited the confidence of the House of Commons, for of course if this were the case, any inward impressions of my own would cease to be elements of the problem?

What are the facts upon which I could rely? During the whole of the proceeding session, the Government has marched from victory to victory, as will be seen by the subjoined record of votes taken on test divisions:—

7th March	Majority for Government	16
18th March	.....	25
2nd April	.....	31
17th April	.....	26
7th May	.....	31
8th May	.....	33
12th May	.....	24
16th May	.....	35

They had left off with a majority of 35 at their command. The ordinary presumption would be that their supporters still adhered them. Had anything occurred to invalidate this conclusion in the publication of the documents I have referred to? Judging from the process of thought in my own mind, which compelled me to suspend my verdict, I could not bring myself to believe that Parliament had jumped to any premature conclusion, but I had one other indication to assist me, namely, ninety-two members of Parliament declared themselves opposed to the views of the Ministers on prorogation. Where were the other one hundred and seven, and what were their opinions? Of the thirty-five or forty who were in their places, not one took steps to make me aware that they had ceased to support the Government; their names were conspicuously absent from the memorial. The sixty or sixty-five members who were away cannot complain if I have interpreted their absence as an indication that they endorsed the policy of the government, at least so far as prorogation was concerned. That the memorialists were so many and no more was in itself significant, for it gave a measure of the effort made and the maximum result. They were not even a majority of the House. They were a minority,

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and therefore were not in a position to acquaint me with the wishes of the majority, or to speak on behalf of Parliament at all. So acutely was the force of this fact felt, that within a very few days after prorogation it was industriously circulated by all the Opposition newspapers that in refusing to acquiesce in the suggestion of the signatories of this memorial, I had flown in the face of a majority of the House of Commons. It is said that hypocrisy is the homage paid by vice to virtue. The pertinacity with which the misstatement has been propagated I cannot but regard as a homage to the strength of my position; but not content with this, some papers have even gone further and stated positively that other gentlemen, friends of the Government, waited upon me the same day and held language similar to the remonstrants, an assertion for which there is not the slightest foundation; for on that day, up to three o'clock, with the exception of the Speaker, the remonstrant members themselves, and my Ministers, I had neither spoken to or heard from a single member of Parliament.

But it had been subsequently agreed that inasmuch as no division ever took place, in a perfectly full House, ninety two signatures implies a practical majority, as though my appreciation of what should constitute a majority is to be regulated by my estimate of the cogency of the respective whips. If, however, we are to count noses with such particularity, let us see how the case stands. I admit the numerical strength of a House is always in excess of its voting power. There will always be accidental vacancies, but the ranks of each side are equally liable to be thinned by casualties. What was the voting power represented by this memorial? It is true, I took the word of the Chairman, that 93 was the number of persons on whose behalf he spoke, but the actual signatures, at the time I had to decide on my course, were only 92. Of these, three were affixed by proxy, reducing the momentary voting strength of the body represented to 89, for it is to be presumed that, unless detained from Ottawa, the remaining gentlemen would have signed with their own hands. Now, if we double 89 we get a House of 178, and no later than last session 183 names appeared on a division list, so that the 89 remonstrants represented only a minority of the House, even on the principle of reckoning; but during the whole of last session the Government had a large majority, a condition of affairs which superinduces a laxity of attendance. Had the two parties been more evenly balanced, had victory depended on only a few votes, the muster of members would have been inevitably stronger, and the maximum division list of 183 undoubtedly exceeded.

But I am not prepared to admit that a Governor General would be justified in taking so serious a step as was then urged upon me on the strength of a memorial signed even by a majority of members of Parliament, except so far as bringing a certain amount of pressure to bear upon him for momentary purposes. A document of this nature is quite inconsequent. It would prove so much waste paper in the presence of a different mandate from the constituencies of many of these gentlemen, and when the time for voting arrived the Government who relied upon it might very well find a considerable proportion of its signatures on the wrong side of the division list, with a dozen plausible excuses for their having played him false.

Indeed, within a couple of hours after the deputation had left my presence, I was assured on trustworthy authority that some of these very persons had openly stated that in signing the memorial they by no means intended to signify that they withdrew their support from the Government.

It is further to be remembered that although I was in Ottawa at six in the morning, I heard nothing of this memorial until one o'clock; that three was the hour at which Parliament met, that the gentlemen bringing it must have known that its presentation and perusal must have occupied some time, and that I was bound to communicate it to my Ministers. Yet it was upon the strength of a document of this nature, presented in this fashion, when my Speech from the Throne was in the hands of the printers and the guard of honour under arms, that I was expected to take a step which, under such circumstances, must have inevitably led to a change of Government and possibly a general election.

I have one further point to mention and I have done. It is a favourite theory at this moment with many persons, that when once grave charges of this nature have been preferred against the Ministry they become *ipso facto* unfit to counsel the Crown. The practical application of this principle would prove very inconvenient, and would leave not only the Governor General but every Lieutenant-Governor in the Dominion very thinly provided with responsible advisers; for, as far as I have been able to seize the spirit of political controversy in Canada, there is scarcely an eminent man in the country on either side whose character or integrity has not been at one time or another the subject of reckless attack by his opponents in the press. Even Your Lordship and Mr. Gladstone have not escaped, for it has been more than insinuated that the Imperial Government have been got at by Sir John Macdonald and that the law officers of Her Majesty were instructed to condemn the Oaths Bill, contrary to their legal convictions.

In conclusion, I desire to call Your Lordship's attention to the fact that in this dispatch I have made no allusion to the Royal Commission, which I have just issued under the advice of my Ministers.

My desire is to keep the transactions relating to the prorogation of Parliament and the issue of the Commission entirely distinct. These two events are quite disconnected and independent. The reasons which induced me to agree to the prorogation of Parliament had to be considered without reference to the effect of prorogation on the Committee, or at least they appeared sufficiently cogent to overpower any countervailing arguments founded on the necessity of keeping the Committee alive. However much I might have desired to do so, I could not have treated Parliament as a pregnant woman, and prolonged its existence for the sake of the lesser life attached to it. If I have satisfied Your Lordship that prorogation under the circumstances was the proper course, the extinction of the Committee was an effect with which I had no concern. It is necessary to keep this consideration very clearly before our eyes,

otherwise a confusion of ideas will ensue, prejudicial to a correct judgment of the case. The extinction of the Committee is being denounced as the worst feature of the transaction by persons who are ready to admit that prorogation was perhaps a necessity, and they insensibly transfer their dissatisfaction with the result to the circumstances which occasioned it. The same class of minds probably conjecture that the destruction of the Committee was the main inducement with my Government for insisting on prorogation but with speculation of this kind I have nothing to do. I prorogued Parliament for what I considered not only full and sufficient, but imperative reasons. The subordinate consequences incident to the transaction do not therefore come under review.

There is one further point it may be well to remember. I see it is asserted that the Government purposely kept its sixty members away. Of course I have no means of knowing how far this may have been the case. It is probable that, having concluded that the session could not be prolonged, Ministers may have notified their followers to that effect; but it is an indisputable fact that the absence of a considerable portion was unavoidable.

In another despatch I propose to address Your Lordship on the subject of the Commission.

I have the honour to be, my Lord, Your Lordship's most obedient servant,

(Signed)

Dufferin

"The Right Hon. The Earl of Kimberley, et cetera, et cetera, and et cetera."

The following further documents are appended:—Letters of Hon. Sir Francis Hincks in answer to the charges made against him personally; the correspondence between the Government and the two incorporated companies; the Pacific charter; the Allan and McMullen letters; Mr. McMullen's narrative and accompanying documents, and the report of the meeting of members of Parliament held at Ottawa on the 13th of August.

LORD DUFFERIN, the Governor General, transmits for the information of the Senate and House of Commons, the accompanying papers relative to the issue of a Commission to enquire into certain charges made against members of Her Majesty's Privy Council for Canada, respecting the grant of a charter and contract to the Canada Pacific Railway Company:—

Government House,

Ottawa, 23rd October, 1873

"No. 198, Canada, Aug. 18, 1873"

My Lord,—In my previous despatch of the 15th of August, I had the honour of informing your Lordship of the circumstances under which Parliament was prorogued on the 13th.

As a consequence of that event the Pacific Railway Committee of enquiry became extinct, and as I have already mentioned, an interval of eight or ten weeks was to elapse before the re-assembly of Parliament. A question consequently arose as to whether during this short recess, anything could be done to forward the hitherto abortive enquiry touching the Pacific Railway Charter.

When I was at Prince Edward Island, and in communication with my two ministers, Messrs. Tilley and Tupper, — shortly after the publication of the McMullen correspondence I had intimated to them that should the Committee of the House of Commons find itself unable to prosecute the investigation, the truth must be got at somehow, and that, perhaps an enquiry conducted before three Judges of the land might prove a satisfactory issue out of the difficulty. In making this suggestion I was actuated by a double motive; in the first place I was deeply distressed at the embarrassing relation which existed between my ministers and myself. The gentlemen were being assailed by irresponsible newspaper correspondents, with accusations of the most injurious description. Documents, which perhaps in themselves proved nothing, had been brought into an alleged connection with a narrative that invested them with very great significance. The Parliamentary Committee that had undertaken to discover the truth appeared to be paralysed, and the accused were thus shut out from all means of vindicating their characters; yet it was to those persons I was bound to look for advice in all matters affecting the administration of public affairs. Again, as an Imperial officer it was my duty to watch with especial care over Imperial interests. The allegation current against my Ministers and others was that they have fraudulently dealt with certain monetary trusts, voted indeed by the Parliament of Canada, but guaranteed to a considerable extent by the Imperial Government. This being so, I was evidently bound, apart from any action of the Canadian House of Commons, whose powers of scrutiny seemed for the present of small avail, to obtain satisfaction in regard to this matter by any constitutional method within my reach. Indeed from this point of view, it was not the Ministry of the day, who are but an evanescent committee of Parliament, but the Parliament of Canada itself that was responsible to Great Britain in respect of any malversation which might have occurred, as having confided the disposal of these interests to improper agents.

At the same time, as long as the Parliamentary Committee was in existence, even though it had ceased to act, the resort to any other instrument of investigation was not desirable. Beyond, therefore, the casual suggestion to which I have referred, nothing further was volunteered by me in this sense. When, however, the prorogation of Parliament being decided on, and the Committee of the House of Commons being about consequently to become extinct, my Government undertook on its responsibility to advise the issue of a commission to three judges of character, standing, and acknowledged integrity, I had no difficulty in acquiescing in their recommendation.

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I have now, therefore, to inform Your Lordship that on the 14th of August, I signed a commission at the instance of my responsible advisers, and by virtue of the powers vested in the Governor General by the Canada Act of the 31st Vic., Cap. 38, to the Hon. Judge Day, the Hon. Judge Polette, and Judge Gowan, authorizing them to inquire into the various matters connected with the issue of the Pacific Railway charter. A copy of this Commission I have the honour to append.

On referring to it, your Lordship will observe that the purview of the Commission is very wide and inquisitorial, and there is nothing to restrict its reception of anything that may appear to deserve the name of evidence. The professional antecedents of these gentlemen are set forth in the accompanying document, which had been prepared for me by my Ministers. One of them is personally known to me, viz, Judge Day, who, as Chancellor of the McGill University, received me on my visit to that institution. Since then we have improved our acquaintance, and I have no hesitation in stating, both from what I know and have learnt, that I have every confidence in Judge Day's high sense of honour, capacity, and firmness.

I have also considered it my duty to satisfy myself as to the qualifications of the two other gentlemen with whom he is associated, and I am in a position to inform your Lordship that they are generally regarded as persons of unblemished integrity, sound judgment, and professional ability, while the length of time all three have been removed from politics frees them from the suspicion of political partisanship.

Notwithstanding the creditable antecedents of these personages, they have been sharply assailed by the Opposition press, for which the praises of the Ministerial organs are scarcely an adequate consolation. Perhaps, however, it may not be amiss that I should append two or three articles from newspapers bitterly opposed to the Government, who, nevertheless, are compelled to bear a scant and niggard testimony to the high qualities of these gentlemen.

Under ordinary circumstances I should have thought it sufficient to have terminated my despatch at this point, but, as matters now stand, it is necessary that I should describe to your Lordship the chief features of the controversy to which the issue of this Commission has given rise.

The objections urged against it seem to be three in number—

1st. That the present investigation is not of the kind contemplated by the Act. This point is so entirely a question of legal interpretation, that I can only be guided in regard to it by my law officers.

2nd. That the issue of the Commission is an invasion of the privilege of Parliament; that Parliament being seized of the matter, no other authority has a right to concern itself in the investigation.

I apprehend that this view cannot be sustained. The powers with which the Commission is vested being legal, and granted by

Parliament without limitation, it is difficult to believe that their exercise can be held an interference with the privileges of Parliament. It is not a criminal suit, but a simple enquiry that has been instituted by the House of Commons, at the instance of my Ministers; moreover, Parliament has ceased to conduct this enquiry. The Crown possesses no absolute guarantee that it will be renewed, or that when renewed it will be effectual. If Ministers fall on a vote of want of confidence on the Address, it might prove the interest of so many persons to let the matter drop, that the Committee may not be re-appointed. Unless conducted under oath, the investigation will certainly prove ineffectual, and I am advised that it is doubtful whether any device exists by which a mere Committee of the House of Commons can be enabled to swear its witnesses. If, therefore, an immediate investigation will promote the "good Government of Canada", to quote the words of the Act, I do not apprehend that Parliament can denounce the Commission as a breach of privilege. The House of Commons may declare the issue of the Commission to be inopportune and unadvisable, and may visit with its displeasure the Ministers who counselled its appointment, but it can have no *locus standi*, as against the Crown itself.

Moreover, it must be remembered that the Commission can in no way intercept or supersede the jurisdiction of the House of Commons. It will be quite competent for Parliament to ignore the fact of it having existed; its influence on the present situation will entirely depend on the way in which it discharges its functions. If the public is convinced that it has elucidated the truth, no matter with what result, its position will be unassailable; if it fails to do so, it will not require the action of Parliament to proclaim its *déchéance*.

There is yet another way of looking at the matter. Few people will deny that individually I have the right to require an explanation from my Ministers in regard to these transactions, but it is evident that in respect of so complicated a business, I have neither the time nor the knowledge nor the professional acuteness necessary to unravel the tangled web of incriminatory matter presented to me. If then I possess the legal power, and if by undertaking to answer for the act, my Ministers endow me with the constitutional power, can Parliament complain if I take advantage of these circumstances to subject my Ministers, through the Commission that represents me, to such an interrogatory as I may deem advisable, or if I order the collection of such other evidence as may be forthcoming, and is calculated to throw light upon the business.

Nor has Mr. Huntington himself any ground to dispute my right to take cognizance of the affair. While the Parliamentary Committee was still in existence, he approached me officially and directly with communications incriminating sworn members of my Privy Council. It is true I returned him the documents he forwarded, and declined to take personal cognizance of a matter then before a Committee of the House of Commons; but I retain his covering letter, and it is scarcely competent for him—the Committee having ceased to exist—to decline the jurisdiction of the Commission, so

far as it is concerned with what he himself brought to my notice. By his own act he had invited my intervention, and submitted the matter to the direct cognizance of the Crown.

Thirdly. The *personnel* of the Commission is complained of as partial to the Government, and as having been chosen by the accused. Into the personal question I need not enter further than I have done. That the Commissioners should have been named by the Government is an accident inevitable to the anomalous situation of affairs; but when we consider the character and antecedents of these gentlemen, that they sit in open court, that their powers of inquiry are unlimited, that they will act under the eyes of unsparing critics, that any appearance of flinching on their part will only stimulate the desire both in and out of Parliament for further inquiry, and that in such an event a review of the case by the House of Commons is extremely probable, I don't think than any practical objection can be taken to them on this account.

I should have much preferred that Sir John's previous offer to the House of Commons Committee should have been renewed, for although this Committee cannot be pronounced free from those characteristics which adhere to all Parliamentary Committees on such occasions, it might possibly possess greater vigour of evisceration than a Commission, though its ultimate verdict might not prove unanimous. It would moreover, have been able to command the appearance of Mr. Huntington as a willing prosecutor. That gentleman, as I understand, intends to question the jurisdiction of Judge Day and his colleagues. Of course the Ministerialists asseverate that he fears being brought to book; that having thoroughly prejudiced the public mind through the agency of Mr. McMullen's letters, he would willingly let the Government lie as long as possible under the odium of a vague charge which accurate enquiry would dispose of. But this seems a groundless assertion. Hon. Mr. Huntington may be, and indeed, I trust, and so far believe, is mistaken. He may have got hold of the wrong end of the stick, and have been too quick in drawing inferences. It may be doubtful if he is well advised in declining to appear if that should be his determination; but that, after all he has said and done, he should have misgivings as to his case, is not credible, and such an injurious supposition is unjustifiable. But the difficulties in the way of making a second offer to Messrs. Blake and Dorion appeared insuperable, for both these gentlemen, in declining Sir John's former proposal to make them Commissioners, grounded themselves, not only on the necessity of obtaining the House's sanction to their change of status—an objection which, though somewhat subtle was perhaps sustainable—but furthermore asserted that, as Commissioners, their independence would be destroyed. Mr. Blake, moreover, had stated that on personal grounds he could not consent to act on a Commission appointed under the advice of Sir John Macdonald. As there was no reason to suppose that these gentlemen had changed their minds in these respects, it did not appear advisable to reproach them on the subject.

Under these circumstances it was evident, if the interval that must elapse before the reassembling of Parliament was to be

utilized, that any enquiry which might be possible must be confided to fresh hands.

That my Ministers should desire an opportunity of making themselves heard can be well understood. The language used on their behalf is something of this sort:—"For months past we have been the objects of the vilest calumnies; our most confidential documents have been purloined by an informer, and dishonestly connected with a narrative which is itself untrue. Hitherto we have had no opportunity of rebutting these accusations. The instrument appointed by the House of Commons to do justice between us and our traducers has proved powerless for the object. Considering with whom we have to deal, we require the evidence against us to be substantiated by an oath; we are not willing to place our honour at the mercy of our accusers unless protected against perjury; we ourselves are anxious to be heard upon our oaths; we doubt whether a Committee of the House of Commons can acquire the power of swearing in its witnesses without an Imperial Act. We think it but fair before Parliament reassembles that we should have an opportunity of answering, point by point, the injurious allegations brought against us. This cannot be done by mere statements. We desire, therefore, to subject ourselves to as searching an interrogatory as a skilled tribunal, or our most bitter opponents can apply. Unless we have this opportunity we shall meet Parliament at a disadvantage. Our enemies have possessed themselves of the ear of the public for months. We have had no opportunities of counteracting these influences; let at least our story be heard before a premature decision is snatched from Parliament, saturated as it may have become with these calumnies. We do not wish to escape from the scrutiny of the House of Commons, we know we could not do so, did we so desire; but since its action is for a time suspended, do not condemn us to remain, during the interval, under the opprobrium of such accusations."

It is not my province to examine the force of this pleading, I merely report it for your Lordship's information; but no one can fail to see that my Ministers are fairly entitled, so far as the law allows them, to do whatever in them lies to dissipate the impression occasioned by the enforced silence entailed on them by the inaction of the late Parliamentary Committee.

I have now concluded my narrative of the two important occurrences in which I have found myself so unexpectedly engaged. My anxieties have been very great, and my position most embarrassing. If I have erred in the conduct of these affairs, I feel I can count upon your Lordship's indulgence to put a favourable construction on my intentions. Trained in the liberal school of politics, under the auspices of a great champion of Parliamentary rights, my political instincts would revolt against any undue exercise of the Crown's prerogative. Yet it is of this I find myself accused. I trust, however that reflection will dissipate such impressions and that the people of Canada will ultimately feel that it is for their permanent interest that a Governor General should unflinchingly maintain the principle of Ministerial responsibility, and that it is better he should be too tardy in relinquishing this

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palladium of colonial liberty, than too rash in resorting to acts of personal interference.

Considering how eager has been the controversy, I cannot hope to escape criticism, but any irritation thus engendered will perhaps be softened by the reflection that, coming to this country full of faith in its people and its destinies, I was naturally slow to believe that wide spread public and personal corruption should exist among its most eminent public men. If it should turn out that I have been deceived in my estimate of the Canadian purity, the error is one which Canada may afford to pardon. If, as I trust will be the case, the integrity of her chief statesmen is vindicated, I shall be well content if the fact of my not having “despaired of the republic” is forgotten in the general satisfaction such a result will produce.

Be that as it may, there is one circumstance which we can regard with unmitigated satisfaction. The alleged revelations which have taken place have profoundly moved the whole of the population, apart from the section of society within politics, whose feeling may be stimulated by other considerations; every citizen in the country, no matter how indifferent to public affairs, has been dismayed and humiliated by the thought that such things, as are alleged to have taken place by Mr. McMullen and Mr. Huntington, should be possible. This is a re-assuring sign, and even should it be found, which God forbid, that the Government has been unworthy of the trust confided to it, the indignation and the searching of the heart that will ensue throughout the land, will go far to cleanse the public life of Canada for many a year to come.

I must apologize for the length of this and my previous despatch; but in recording this transaction I felt that I was contributing to a page of the History of Canada.

I have, et cetera

(Signed)

Dufferin.

The Right Hon. the Earl of Kimberley.

To this despatch are appended the Royal Commission, comments from certain newspapers on the three Commissioners, and memoranda respecting these gentlemen submitted for the information of His Excellency by the Minister of Justice.

LORD DUFFERIN, the Governor General, transmits for the information of the Senate and House of Commons the accompanying copy of a despatch from the Right Honorable the Earl of Kimberley, Her Majesty's Secretary of State for the Colonies, in reply to His Excellency's despatches No. 197, August 15th, and No. 198, August 18th :—

Government House, Ottawa

23rd Oct., 1873

(Copy)

The Earl of Kimberley to the Earl of Dufferin.

“No. 287, Downing Street 9th Oct, 1873.

My Lord,—I have received and laid before the Queen your Lordship's despatches No. 197, of the 15th August, and No. 198, of the 18th of August, giving an account of the circumstances connected with the recent prorogation of the Dominion Parliament, and the issue of a Commission to enquire into the charges brought forward by Mr. Huntington. Her Majesty's Government have read those clear and able statements with much interest. It is not their duty to express any opinion upon the particular measures adopted upon the advice of your responsible Ministers, but they fully approve of your having acted on these matters in accordance with constitutional usage.

I have, et cetera

(Signed)

Kimberley.

Governor General, the Right Hon. the Earl of Dufferin, K.P., K.C.B. et cetera.

LORD DUFFERIN, the Governor General transmits for the information of the Senate and House of Commons the accompanying papers relative to the disallowance of the Act 36 Vic., Cap. 1, intituled “an Act to provide for the examination of witnesses on oath by, Committees of the Senate and House of Commons, in certain cases”.

Government House, Ottawa, 23rd October, 1873.

“No. 116, Canada, May 3rd, 1873.

My Lord,—I have the honour to forward to your Lordship a certified copy of a Bill entitled “A Bill to provide for the examination of witnesses on oath by Committees of the Senate and House of Commons in certain cases”, which has passed both Houses of the Canadian Parliament, and to which I have this day given my assent.

The introduction of this Bill into the House of Commons arose out of the following circumstances:—

On the 2nd of April the Hon. Lucius Seth Huntington, member for Shefford, in the Province of Quebec, made the following motion. (Then follows the motion of Hon. Mr. Huntington.)

As your Lordship will perceive, this motion charges my present advisers with a very infamous proceeding—with no less a crime than that of having sold Canada's most precious interests to certain American speculators, with a view to debauching the Canadian constituencies with the gold obtained as the price of their treachery.

In making his motion, Mr. Huntington did not accompany it by any statement as to the grounds on which he founded his charge, or by the production of any evidence in support of it; and neither Sir John Macdonald nor any of his colleagues having risen to address the House, a vote was forthwith taken without debate, which resulted in a majority of 31 in favour of the Government, in a House of 183.

The next day Sir John Macdonald himself gave notice that he would move the appointment of a Committee for the purpose of investigating Mr. Huntington's charges, and it being further suggested—as I am informed, by some of the Opposition members—that the evidence should be taken on oath, a Bill for that purpose was introduced by the Hon. John Hillyard Cameron, an eminent lawyer of Ontario, and the Chairman of the proposed Committee.

This Bill was accepted by the Government, and passed with scarcely any discussion in the House of Commons.

It was introduced into the Senate by Mr. Campbell, the Postmaster-General, and gave rise to some difference of opinion as to whether its enactments were within the competence of the Canadian Legislature.

In the 18th clause of the Union Act of Canada, it is provided that "The privileges, immunities, and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons and by the members thereof respectively, shall such as are from time to time defined by Act of the Parliament of Canada, but so that the same shall never exceed those at the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof," and the critics of the measure observed that, inasmuch as the British House of Commons did not acquire the general right of examining witnesses on oath till a date subsequent to the passage of the Union Act, the Dominion Parliament was precluded by the terms of the foregoing clause from investing the Canadian House of Commons with the powers in question.

It strikes me, however, that the 18th clause of the Union Act was not framed for the purpose of restricting the legislative action of the Dominion Parliament, but that the terms, immunities, privileges, et cetera, refer to those immunities and privileges which are inherent in the British House of Commons as a separate branch of the Legislature, and this view seems to be confirmed by the use of the word "defined".

The manifest purpose of the Act was to endow the Canadian House of Commons with a status like to that enjoyed by the House

of Commons at home, and for obvious reasons it was necessary that the attributes of this status should be distinctly specified in the manner provided for by the 18th clause; but it could scarcely have been intended to preclude either branch of the Canadian Legislature from acquiring by Act of Parliament such other powers as experience might prove to be necessary, providing these powers were constitutional in themselves, and did not infringe the prerogatives of the Crown.

That this view was held by my predecessors, as well as by the Imperial Government, may be deduced from the following circumstances:—

The Canadian Senate also has, by the eighteenth clause of the Act of Union, the same privilege and attributes as the Imperial House of Commons, but these privileges are confined by a formula within the same limits as those which restrict the powers of the Canadian House of Commons, and which are supposed to render the present Oaths Bill *ultra vires*, viz, to such as were possessed by the British House of Commons at the passing of the Act; yet one of the first acts of the Canada Legislature was to invest the Canadian Senate with a general power of examining witnesses, which was not passed by the British House of Commons till long after the passing of the Union Act.

It is possible this Act may have been assented to by the Governor General, and acquiesced in by the Imperial Government, through an inadvertence, in which case it could not be appealed to as a precedent for sanctioning an obvious illegality, but there were no corroborating circumstances to justify me in acting on so unlikely an assumption.

Under these circumstances, I trust your Lordship will consider I have done right in giving the assent of the Crown to the Canadian Oaths Bill.

Had I deferred doing so very prejudicial results would have arisen. The investigation of the charge of the gravest nature, affecting the honour of my constitutional advisers, would have appeared indefinitely postponed, while it was being loudly assented and widely credited throughout the country that delay had been contrived by the instigation of Sir John Macdonald and his confederates, who were seeking by these devices to defer the exposure of their guilt.

But for this circumstance I might have been tempted—as the point raised is a purely legal one—to have referred the Bill for your Lordship's consideration, and the more so because, as you will perceive by the enclosed minute, Sir John Macdonald is inclined to share the misgivings of those who question the competence of the Canadian Parliament in this matter. But as the issue is one, not of Colonial but of Imperial concern, and as Sir John tendered his opinion merely for my information, and not as my adviser—indeed, he intimated he would be glad if I saw my way to assenting to the Bill—I felt at liberty to consult my own judgment, as it may be

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presumed that my Government would not have promoted the Oaths Bill in the House of Commons, and fathered it in the Senate, had the Minister of Justice entertained a decided conviction of its illegality.

My conclusions have been fortified, not only by the opinion of many legal authorities whom I have consulted, but more especially by Mr. Alpheus Todd, the author of "Parliamentary government in England," who, as your Lordship is aware is exceptionally qualified to pronounce on questions of this description, and who has been good enough to discuss the case in a short memorandum, of which I enclose a copy.

(Signed)

Dufferin

Right Hon. the Earl of Kimberley.

Enclosure in Lord Dufferin's despatch No. 116, May 3rd, 1873;—

Department of Justice,

Ottawa, April 30th, 1873.

The undersigned, to whom has been referred by your Excellency the Bill passed during the present session by the Senate and House of Commons, entitled "An Act to provide for the examination of witnesses on oath by Committee of the Senate and Commons on uncertain cases," begs leave to report:—

1. That by the 18th clause of "The British North American Act, 1867", it is provided as follows:—"The privilege and powers to be held enjoyed, and exercised by the Senate and by the House of Commons and by the members thereof respectively shall be such as are from time to time defined by Act of Parliament of Canada, but so that the same never exceed these at the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof."

2. That subsequently, on the 22nd May, 1868, the Canadian Parliament, by the Act 31st Vic., Cap. 23, in pursuance of the authority as given by the Union Act, defined the privileges of the Senate and House of Commons respectively. The clause doing so is as follows:—"The Senate and Commons respectively, and the members thereof respectively, shall hold, enjoy, and exercise such and the like privileges, immunities, and powers, by the passing of the British North America Act, 1867, as were held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof,

so far as the same are consistent with and not repugnant to the said Act."

At this time neither the British House of Commons nor any Committee there had the power of examining witnesses on oath, except on certain specified cases, such as in private bills. That power was only conferred on the British House of Commons and the Committee in 1871, by the 34 and 35 Vic., Cap. 83.

The Bill now referred to the undersigned seeks to confer this power on any Committee of the Senate or House of Commons when either House shall have resolved that it is advisable witnesses should be examined on oath. The empowering section of the Bill is as follows:—"Whenever any witness or witnesses is or are to be examined by any Committee of the Senate or Commons, and the Senate or Commons shall have resolved that it is desirable that such witness or witnesses shall be examined on oath, such witness or witnesses shall be examined on oath or affirmation, where affirmation is allowed by law."

The question has been raised, if it is competent for the Parliament of Canada to confer this power on a Committee of the Senate or House of Commons here, as it is a power which was not possessed or exercised by the British North America Act, 1867.

The undersigned has come to the conclusion although not without doubt, this Bill is not within the competency or jurisdiction of the Canadian Parliament and that the attention of Her Majesty's Government should be called to its provisions, and to the doubt that exists with respect to its validity.

All which is respectfully submitted.

(Signed)

John A. Macdonald

Copy of enclosure in Lord Dufferin's despatch No. 116 May 3, 1873.

Opinion in reference to the meaning of the 18th clause of the British North America Act of 1867.

This clause is as follows:—

"The privileges and powers to be held, enjoyed, and exercised by the Senate and Commons, and by the members thereof respectively, shall be such as are from time to time defined by Act of Parliament of Canada, but so that the same shall never exceed those at the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof.

A Bill having been introduced into the Dominion Commons in the present session, entitled, 'An Act to provide for the examination of witnesses on oath by a Committee of the Senate or Commons in certain cases,' a question has been raised as to whether the Dominion Parliament were competent to pass the Bill, in view of the restrictions imposed by the 18th clause of the British North America Act aforesaid."

In my opinion that clause was intended to restrain the claims of either House of indefinite privileges and immunities, by providing that such privilege shall never exceed those of the Imperial Commons at a given date. The privilege and immunities herein referred to are those that might, reasonably or unreasonably, be claimed as inherent, or necessarily attaching to, the House of the Canadian Parliament, pursuant to the maxim that all things necessary pass as incident. By limiting such privileges and powers to those possessed by the Imperial House of Commons in 1867, it prevents on the one hand an undue encroachment or extension of privilege, and on the other hand secures to the two Houses and the members thereof, respectively, the privileges, immunities, and powers appropriate to them, as component parts of the Canadian Parliament.

It has been urged that the Act to authorize the examination of witnesses on oath by Committees of the Senate and Commons of Canada, is an extension of their privileges beyond those sanctioned by the British North America Act, inasmuch as Select Committees of the Imperial House of Commons, not being Private Bill Committees, did not possess such power in 1867, or till, by the Imperial Parliamentary Witnesses' Oaths Act of 1871, such power was for the first time conferred on them.

It is to be observed, however, that power so conferred upon the Committees by the English House of Commons was not claimed as a privilege inherent in that body. It was merely a power conferred by the statute to facilitate legislative enquiries, similar to that which has been repeatedly conferred on statutory Commissions, and in being so conferred it did not trench upon any prerogative of the Crown, or enlarge the constitutional rights of the House of Commons.

The Dominion Parliament were, therefore, clearly competent, in my judgment, to confer a similar power on Committees of the Senate and Commons, pursuant to the authority conveyed to that Parliament by the 31st clause of the British North America Act, to make laws for the peace, order, and good government of Canada.

In a word, the restrictions contained in the 18th clause of the aforesaid Act are restrictions on Acts that might be buried on behalf of the two Houses of the Canadian Parliament, or the members thereof, respectively, to inherent or excessive privileges, and are not intended to prevent the exercise of legislative powers by the whole Parliament, provided the same are exercised within appropriate constitutional limits.

(Signed)

Alpheus Todd

Library of Parliament

1st May, 1873

Telegram received in Ottawa, May 29th, 1873:—

The Earl of Kimberley to Earl of Dufferin:—

Your despatch, dated 3rd May, with its enclosures has been referred to the law officers of the Crown, who report that the Oaths Act is *ultra vires*.

Telegram received in Quebec, June 27, 1873:—

The Earl of Kimberley to the Earl of Dufferin:—

The Oath Act is disallowed.

The Secretary of State for the Colonies to the Governor General

"Downing Street, 30th June, 1873.

My Lord,—I have the honour to transmit to you an Order in Council disallowing the Act passed by the Parliament of Canada to provide for the examination of witnesses on oath by Committees of the Senate and Commons in certain cases, and also the certificates as required by the 56th section of the British North America Act, 1867, stating when the Act was received in this department. Before tendering any advice to Her Majesty on the Act, I referred to the law officers of the Crown, and I was advised the Act was *ultra vires* of the Colonial Legislature, as being contrary to the express terms of Section 18th of the British North America Act, 1867, and that the Canadian Parliament could not vest in themselves the power to administer oaths, that being a power which the House of Commons did not possess in 1867 when the Imperial Act was passed. The law officers also reported that the Queen should be advised to disallow the Act.

My attention has been called to the fact that by an Act of the Canadian Parliament, Cap. 24, of 1868, provision is made by the first section for examining witnesses on oath at the bar of the Senate, and that that Act had been allowed to remain in operation. It appears to have escaped observation both here and in the Colony, that though such examination of witnesses is in accordance with the practice of the House of Lords, and the powers of the Senate of Canada are limited by the British North America Act of 1867, to such powers as were then enjoyed by the House of Commons, and

October 23, 1873

that the first section of the Canadian Act of 1868 was therefore in contravention of that Act.

But though the Act of 1868 was not disallowed, I have to point out to you that under the second section of 28 and 29 Vic., Cap. 63, this first section is void and inoperative, as being repugnant to the provisions of the British North America Act, and cannot legally acted upon.

So far as regards the powers given by the Act of 1868 to Select

Committees on private bills, they would appear to be unobjectionable, as like powers had, before the passing of the British North America Act been given to the House of Commons by 21 and 22 Vic., Cap.78.

I have, et cetera

(Signed)

Kimberley.

HOUSE OF COMMONS

Monday, October 27, 1873

The **SPEAKER** took the chair at 3 p.m.

Prayers

ELECTION COMMITTEES

The South Perth Election Committee reported that the petition was withdrawn.

Dundas Election Committee reported that they had adjourned till tomorrow, on account of the absence of Mr. Prévost.

Mr. MILLS moved that Mr. Prévost be summoned to attend in his place tomorrow.—Carried.

* * *

BROCKVILLE ELECTION COMMITTEE

Mr. SCATCHERD presented the report of the Brockville Election Committee, stating that Mr. Buell was duly elected, and that neither the petition nor the defence was frivolous or vexatious.

The North Huron election Committee reported that they had adjourned till tomorrow, on account of the absence of Messrs. Joly and Flesher.

On motion by **Mr. CHISHOLM** they were ordered to attend in their places tomorrow.

* * *

LIBRARIAN'S REPORT

The **SPEAKER** submitted the report of the Librarian.

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MANITOBA AMNESTY

Mr. LANTIER gave notice of motion respecting the granting of an amnesty which will be found in Notices of Motion.

* * *

PETITIONS

Several petitions were presented, including one from the Society of Friends, in favour of a Prohibitory Liquor Law.

THE ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

Mr. WITTON, on rising to move the Address, in reply to the Speech from the Throne, said he was aware of the honour done him in asking him to move the Address, but he regretted that some more able member had not been asked to undertake the duty. He was aware that some of the matters referred to in the Speech had been subjects of very acrimonious discussion throughout the Dominion, but he relied upon the consideration of the House in the remarks which he might make upon them. (*Cheers.*) However different the opinions which were entertained in relation to the constitution of the Royal Commission might be, they must feel gratified that the whole matter had now come to the House for decision; that the inquiry had been inquisitorial and not judicial, and that the whole question had been relegated to this High Court of Parliament for a judicial, fair, and satisfactory decision. He left the matter in the hands of those who would follow him.

Referring to the clause with respect to the representation of the people in Parliament, he said provision was to be made by which the tone of political morality in this country would be raised, and also to extend the franchise to many who did not now possess it. He did not believe that *vox populi* was always the *vox Dei*, but he considered that the view of the whole people was generally more just than that of a part. It was advisable to give to those who settled amongst them the rights of citizenship, for if they did not those persons would probably be agitators, and would also, like the enfranchised class in England, prove the leper spot on the Constitution.

He believed they would all unite in expressing their gratification at the union of Prince Edward Island with the Dominion. (*Loud cheers.*) They did well to be gratified at it, not because they secured their neighbour's vineyard (*laughter*), or for any other selfish motive, but because they desired the Islanders to join with them in working out the glorious destiny of this Dominion. (*Cheers.*) It was, he believed, the last link almost of the chain which would bind us together in one homogeneous nationality.

With respect to the Canadian Pacific Railway, the charter granted to the Company had been useless to them. He did not know much about the question, but as far as he could learn the railway would be cheap at whatever price we might pay for it, and he believed that the feeling of the House was that we must have a railway. We must have a railway to keep our contract with British Columbia, to settle those vast dominions of the North-west, and to fill our eastern granaries with the products of those most fertile regions. However the railway might be built on what route it might; both were open

questions. But he believed that the members on both sides of the House, or many of them, were determined, and always had been, that this road must be built, and that this was the policy foreshadowed in the Address.

The next paragraph referred to the increase required in the assistance given to the Government in their Parliamentary and Executive duties. The Government was only an Executive Committee of the nation, and should have a sufficient and efficient staff to enable it to carry on the work of the nation. The question of regulating navigation had received great attention at the hands of the Home Government. Canada occupied a very important position in maritime affairs, and everything concerning them would receive great consideration at the hands of the House.

With regard to the proposed Board of Agriculture, he believed the establishment of such a body would be a step in the right direction, and showed that more attention was to be paid to this interest. The Insolvency Law was a most important question; a great part of the business of the country was carried on by promises to pay, and if they treated those who failed too rigidly they might drive them away from the country. Great care however had to be exercised that the dishonest trader did not participate in the advantage given to him who was only unfortunate.

There was reference made in one of the clauses of the Address to the establishment of a Court of Appeal. He might say that so far as the laity were concerned, anything which tended to make the administration of justice swift and sure, and judgments just, would be acceptable to them.

As to emigration, which came next, he said that to make our country great we should endeavour to fill up our vacant land. At present our settlements formed but a narrow fringe along our great lakes and rivers. He, therefore, believed that we did well to bring in people from abroad to help us in developing the great resources which this country possessed. He believed that in view of our great resources, our lakes and rivers, our minerals and our fine soil, our country was destined to become one of the greatest in the world. He presumed that those measures foreshadowed the policy of the Government. They had his cordial approval—(*cheers*)—as he believed they would also receive the approval of the House. (*Loud cheers.*)

Mr. BABY (in French) seconded the address. In doing so he said he fully sympathized with the remarks of the gentleman who had preceded him, and, like him, he must throw himself upon the forbearance of the House. The first clause of the Speech from the Throne referred to the somewhat celebrated Royal Commission, appointed to enquire into the Pacific Railway scandal; the Commissioners, who were three able, intelligent, and honest men, men of the highest integrity, had made an investigation which would supply sufficient matter for the House, to form its judgment upon, whatever that judgment might be. In passing to the second paragraph, with reference to the entrance of Prince Edward Island into confederation, he said that Province would greatly aid us in our

endeavours to make the same flag flutter over all Her Majesty's North American possessions. He, therefore, gave a cordial welcome in this Chamber to the members sent by that Province to represent them, and hoped that the whole of British North America would soon be brought into the same union, and that the great people so constituted would soon show themselves worthy of a place amongst the nations of the world.

He would next pass on to the pledge given of a new election law, a measure which had been previously promised. The dearest rights of the people rested in the merit of elections (*Hear, hear, and ironical cheers*) and with a proper law the people would feel assured that none of their rights or privileges would be infringed. He had perfect confidence that the measure which the Government would submit would be as comprehensive and perfect as could possibly be proposed.

He regretted that the Pacific Railway Company had given up their charter, but was glad to find that the Government would introduce a measure for the purpose of enabling them to proceed with the work themselves. He spoke of the necessity of having a national road to connect all the Provinces of the Dominion, and considered our Confederation would be of little avail if we had not the means of internal communications between all the Provinces. To secure the building of this road all should combine, for it was an object the country heartily desired to see accomplished.

He briefly glanced at several of the other clauses of the address, advocating the passage of an Insolvency law and the establishment of a Dominion Board of Agriculture, the intention of which was to foster that most important of our industries, the cultivation of the soil. Upon the other points he endorsed the remarks of the preceding speaker, and concluded by expressing his confidence in the great future that lay before the Dominion.

The motion for the consideration of the address to his Excellency was then carried, and the Address taken up clause by clause. The first was adopted.

On the second clause,

Hon. Mr. MACKENZIE said that before this paragraph was put, he desired in the first place to make some remarks that were necessary in the critical stage of our history, and also to make a motion in amendment to the Address. No one appreciated more keenly the gravity of the crisis in which the country and this House was now placed, and he would endeavour to speak dispassionately on the one great question which concerned the power of the Administration and the of the country, and was vitally connected with its future prosperity.

The crisis which now existed was not to be looked upon as a mere party movement, either on the one side or the other. He knew that many gentlemen who looked upon the different parties from a different point of view from himself would be certain to take the view that he took. He was perfectly aware that in reference to this question, he did not depend alone upon those who usually

supported him, and that he could with confidence depend upon a sufficient number of gentlemen holding a general political view, somewhat antagonistic to his own, to secure a majority for the motion he was about to make. (*Opposition cheers.*) But even if he had not that confidence in the intelligence of the House and in the opinion of the country, it would still no less be his duty to submit his motion.

He desired before entering practically upon the discussion of the questions connected with the letting of the Pacific Railway contract, to review very briefly the circumstances under which this contract was let. It was well known that the Administration, during the first Parliament, had been gradually losing the confidence of the country, and they found that some unusual means must be used to secure their maintenance in power. He then referred to the terms of union with British Columbia relating to the pledge to complete the Pacific Railway within ten years; to the terms of the Pacific Railway Act; and to the extraordinary powers conferred on the Government by that Act.

While the contract for carrying the mails across the Atlantic, amounting to only 25,000 pound sterling, was annually submitted to Parliament, the contract for the Pacific Railway, amounting to \$30,000,000 and 50,000,000 acres of land, was left entirely in the hands of the Government. This was a most extraordinary, not to say suspicious, circumstance. One of the symptoms of the decaying power of the Government was manifested in 1871, when the Ontario Government was defeated, principally because of its close connection and submission to the Ottawa Government.

Shortly after this election, Ministers perceiving that they could not carry the elections by legitimate means, were preparing for the event which was realized before the House met last year. Unless some sinister object was to be attained, there could be no reason why the Government should refuse to submit the Pacific contract to Parliament, but the Government knew that their influence was waning in the country, and they were preparing for the events which followed.

There were other evidences of that fact. The Ministry knew that if their course was submitted to the people in such a way as to secure an unbiased and unpurchased opinion of the country, it would be quite impossible for them to remain in office; accordingly they resisted every measure introduced for the purpose of purifying our electoral system, and would it be judging them too harshly when he said that the only possible motive that could fairly be attributed to this course was that they had resolved to carry the elections at all hazards, even if improper means had to be used. (*Opposition cheers.*) That was the opinion generally formed, and it was an opinion which set at rest the accusation which had been brought against many members by gentlemen opposite when they knew that every man on that side of the House was prepared to give his sanction to the most stringent possible enactment to prevent undue influence being exercised at these elections. (*Cheers.*)

It would be remembered that on the passing of the Interim Elections Act these gentlemen opposite took power to appoint

returning officers. He suggested on this side of the House, and moved in that direction at the time, that all returning officers ought to be *ex officio* officers taken from some official class from whom we might fairly expect uniform fairness and justice. He could only say that in all the elections, so far as his individual experience went the most bitter partisans were chosen. We knew that through some of the returning officers, two or three gentlemen at least were deprived of the seats which they had won from the electors. They knew these gentlemen were appointed because of their partisanship; they knew that these men used every means in their power to vex and annoy those electors who were opposed to the Government; they knew that in any district where it was supposed there would be a close election, that all the poll clerks, etc., were appointed from the supporters of the Opposition, in order that they might be disfranchised; they knew that in order to accomplish an object, in some of the Provinces a system was put into operation different from that which prevailed in the other Provinces. They knew that while in Ontario and Quebec no revenue officer was permitted to vote, in Nova Scotia and New Brunswick they were allowed to vote, in order that Minister and Ministerial supporters might drive them like cattle to the polls. (*Cheers, and cries of no, no.*)

Hon. Mr. TUPPER: No, no.

Hon. Mr. MACKENZIE: The hon. gentleman said "No, no." Would the hon. gentleman when he spoke, give a reason for the introduction of an unequal law. Such was the state of our laws, when the general elections took place, and they knew that in Ontario and Quebec, where it was unlawful for certain officers to go to the polls, were authorized to go to the elections and influence the voters, and that the powers of the Government were strained to the uttermost to influence the elections unduly. They knew that prominent officials had used their influence to intimidate electors, and he had during the last session read letters in the House in respect to this matter, but they knew that in the great Province of Ontario, and, at all events, to a great extent, in the Province of Quebec, all these preparations for the electoral struggle proved that, in spite of the utmost efforts of the hon. gentleman at the head of the Government, in his travels through the west, aided, as he was, by the hon. gentleman from Vancouver and other gentlemen, that all their efforts and something else that he would refer to further on—(*Hear, hear, from the Opposition*)—proved fruitless, and that the right hon. gentleman was unable to make his appearance in the House with a majority from his own Province. Such were the results of the policy that had characterised the Administration of the hon. gentlemen opposite that the use of all the influences that I have already referred to were utterly useless to accomplish the objects they had in view, and the right hon. gentlemen opposite was scarcely at work in his canvassing tour before it became apparent to him, with great astuteness, that something more, to which he had referred, was necessary to secure himself in power, and that his destinies must be placed on something less fallible than the legal expression of the people's will. Accordingly, they found that a movement was made among those who proposed to construct the Pacific Railway. They found that in all parts of the country, especially in Montreal and Toronto, interviews were being held and

letters being written, and that early in the electoral campaign the right hon. gentleman opposite relied upon this source as the means to accomplish the object, which the means in his hands failed to proffer him.

The Premier stated in his evidence before the Commission—"When Sir George Cartier and I parted in Ottawa, he to go to Montreal and I to go to Toronto, of course, as leading members of the Government, we were anxious for the success of our parliamentary supporters at the elections, and I said to Sir George that the severest contest would be in Ontario, where we might expect to receive all the opposition that the Ontario Government could give to us and to our friends at the polls. I said to him, you must try and raise such funds as you can to help us, as we are going to have the chief battle there. I mentioned the names of a few friends to whom he might apply, and Sir Hugh Allan amongst the rest, and that he was interested in all those enterprises which the Government had been forwarding. When, therefore, I ascertained that Sir George had put all right with his friends, I then communicated to my friends in Montreal, Sir George and Mr. Abbott, stating I hoped they would not forget our necessities; that they would see to raise some funds for us in Ontario." Then he told the Commission a little farther on that there was an urgent necessity for spending money.

All this showed that the Premier felt the weakness of his Administration in the country, and that if he was to be retained in power some other means must be used beyond these that would be considered legitimate, and they were asked to believe that these obligations to Sir Hugh Allan were simply obligations of party, and that the contributions were the contributions of a friend. They were also asked to vote that black was white, and declare it was the most reasonable thing in the world for a gentleman in Sir Hugh Allan's position to give this money simply as a member of the party, although he (Hon. Mr. Mackenzie) was bound to say that Sir Hugh Allan did not venture to say anything of that kind in his evidence. No, they were told very plainly by that gentleman that he had no party views at all. Here was his opinion of the situation. They had that calm, steady, business man—that wary, would he say, politician,—no, he never was a politician—they had that wary merchant speaking in this wise. In a private letter which had since become private property,

From the **GOVERNMENT BENCHES**: "How"?

Hon. Mr. CAUCHON: What has that to do with the matter?

Hon. Mr. MACKENZIE said he was about to read from a private letter to a friend, Mr. Cass, who was engaged with him in these transactions. He said on a calm review of the situation, I satisfied myself that the whole decision of the question must ultimately be in the hands of one man, and that man was Sir George-E. Cartier, the leader and chief of the French party. This party has held the balance of power between the other factions. It has sustained and kept in office and existence the entire Government for the last five years. So utterly regardless was he of

any party politics that he stood quietly by to see to which party he would be likely to apply in order to carry out his purpose. After having reviewed the portion of the party led by Sir John A. and Sir George-E. Cartier, he concluded that he was the man who should be applied to.

Hon. Sir Hugh Allan said in another place, "Everything looks well up till the present item, but I may tell you in strict confidence that there are symptoms of coolness between Sir John A. and Cartier, arising from the coquetting of the letter with Blake and Mackenzie to form an alliance and carry the election next summer, with a view to leave John A. out in the cold. This would not be quite so well for us." He knew if the hon. gentleman were left out in the cold the probability was that he also would be left out in the cold. (*Hear, hear.*)

Hon. Sir JOHN A. MACDONALD: Is that true?

Hon. Mr. MACKENZIE: The hon. gentleman asked if this was true. The hon. gentleman should have asked his friend Sir Hugh Allan. The hon. gentleman had, as no one else had, an opportunity of asking questions. He had a chance of having a minister to put questions to him and of questioning every one else. The wary merchant then adds:—"But this would not be quite so well for us." He knew that if the right hon. gentleman were left out in the cold he himself would be utterly left in the cold.

He said further in his letter of the 16th July, "A kind of negotiation is going on with both Macpherson and myself, relative to the composition of this Government Company, but it has not come to anything as yet; meantime the period of the election is drawing near, and, unless the matter is arranged satisfactorily to Lower Canada, Sir George Cartier's prospect of being returned is very slim indeed."

In his letter of the 1st of July to Mr. Cass, he also said respecting the French party, "It consists of forty-five men, who have followed Cartier and voted in a solid phalanx for all his measures. The Government majority in Parliament being generally less than forty-five, it follows that the defection of one-half or two-thirds would at any time put the Government out of office." It was a business matter. But further than that, they would produce evidence that he was simply playing the part of a great gamester, that he had a game before him which he wished to carry, and anything that would insure the carrying out of that game was adopted. (*Hear, hear.*)

He told them in the letter of the 28th of February, "Our Legislature meets on the 11th of April, and I am already deep in preparation for the game." In another letter the 6th of August, 1872, he apparently thought the game was accomplished,—“The near approach of the elections, however, and the stand taken by my French friends, that they would lend no help till I pronounced myself satisfied, has at length brought the matter to a crisis, and I think the game I have been playing is now likely to be attended with success;” and the man who was asserted to have given \$360,000 as a contribution to the elections, this was the man who was said to have placed in the hands of the members of the

Government and their immediate supporters a sum of no less—by the confessions of the Ministers, contained in the book from which he was quoting—than \$162,000 and, with their intervention, \$17,000 or \$18,000 for their friends. There was a balance of \$200,000 spent in other ways the report did not condescend to notice, and which the Commission did not condescend to ask about.

Now, he had no hesitation in saying, after a thorough examination of the points, that Sir Hugh Allan was not prepared to advance a cent for the purpose of aiding the elections of Ministers till the Ministers had secured for him the contract. (*Hear, hear, and applause.*) He would be able to prove out of the evidence laid before them that the payment of the money and the reception of the promise were contemporaneous. (*Applause.*)

A VOICE: The promise?

Hon. Mr. MACKENZIE: The promise. (*Loud applause from the Government benches.*) Hon. gentlemen seemed to think the promise and the giving of the contract were not the same thing. He (Hon. Mr. Mackenzie) regarded them as the same. They knew from the evidence produced in the papers before them, that up to the time of that ominous week, about the 13th July, the attitude of Sir Hugh was hostile to the election of Sir George-É. Cartier and his friends. He told of the pressure he brought to bear upon the Government in the passage of the letter that he (Hon. Mr. Mackenzie) had read, from Sir Hugh to Mr. Cass, one of his United States accomplices, in which he referred to the party that had held the balance of power, led by Sir George. It was evident to Sir Hugh that some means would have to be adopted to secure the influence of this party, and as soon as he made up his mind as to the best course to be pursued, he lost not a moment in carrying it out.

Now there was another circumstance. There was the studious effort made in giving the evidence to induce the impression that Sir Hugh had merely been given the presidency of the Company. What did he say himself in reference to that? He said in his letter of the 1st of July, “No doubt he (alluding to McMullen, no doubt) informed you that—thinking as I had taken up the project, there must be something very good in it—a very formidable opposition was organized in Toronto” for the purpose of obtaining that something good which Sir Hugh saw looming in the distance.

It appeared from the proceedings that it became absolutely necessary that this money should be secured. The first elections, he thought, took place during the latter part of July and the first of August. In the meantime the parties were brought together and Sir Hugh Allan was found, and also Mr. Abbott and Sir George-É. Cartier, in company in Montreal. In order to complete the transaction, he would read a passage from the evidence to show the very simple way in which this money was obtained, how little work there was about it, and how little this wealthy capitalist thought about it when he was asked for an extraordinary amount of money. It would be remembered that Sir Hugh Allan, Mr. Abbott, and Sir George-É. Cartier, on the morning of that day upon which the letter known as the letter of the 30th of July, was drafted and agreed

upon, that document was somewhat longer at first than in the form in which it was finally adopted.

The following is the quotation from the evidence:—“Question.—I should like to hear again if you remember the way in which Sir George approached the subject of a money subscription? Answer.—It was in a very abrupt manner. As we were going out at the door. After arranging the first letter of the 30th July, he turned about and said, ‘Will you help us at our elections?’ or ‘Are you going to help us?’, or something to that effect. Question.—Did you make a reply? Answer.—I did. Question.—What was it? Answer.—I said that I had been always in the habit of giving something to the elections, and no doubt I would do so on this occasion.” (*Ironical cheers.*) But Sir Hugh did not inform us to what extent he had given money at previous elections. (*Hear, hear.*) Nor were any questions asked him upon that point, but those who were in a position to judge pretty nearly of the amount, and knew the close business capacities of the gentleman, asserted that it was infinitesimally small. The speaker continued the quotation from the evidence: “Question.—Who spoke next, and what was next said? Answer.—I am not sure, but I think it is possible that I said to him, ‘To what extent will you require assistance’, or ‘what do you want’, and I also suggested that he should put in writing what he wanted.”

It never occurred to Sir Hugh Allan that any other assistance would be asked except in money. He said in one of his letters that he had accomplished great results by going among the people and addressing meetings, but it never presented itself to his mind that he was greatly required to speak on behalf of the administration. He said himself that the answer he gave to the question the very moment it was asked was “to what extent do you require assistance.” It seemed even before this point was reached, that there was a perfect understanding that there was money in the matter (*hear, hear*), because he had told us in a letter that he had already paid out \$8,500 and was unable to get any receipt or any voucher. (*Cheers.*) That, in short, they would have to go it blind in the matter of money. (*Loud cheers.*) In his letter of February 28th, 1872, he said: “I think you will have to go it blind in the matter of money (cash payments).” (*Laughter.*) “I have already paid \$8,500 and have not a voucher, and cannot get one.” (*Cheers and laughter.*)

We have no evidence to show where these \$8,500 went, but we did know that it was spent in some way or another. Sir Hugh did not dare to ask for a receipt, and did not require a voucher to present to his accomplices in the United States, but the reason for this had not been ascertained. A question was put, “Your recollection is that he said \$100,000 would be wanted?” and the answer was—“Yes; Mr. Abbott thinks he did not mention any definite amount. Question.—After he named that sum, what did you ask him to do? Answer.—To put a request in writing.” Why did he wish the request put in writing? His own answer was, “I wished to have some authority for payment, and to know what I was doing.” (*Hear, hear.*) “Question.—What purpose did you think that would serve? Answer.—Nothing, beyond being more satisfactory to myself. Men of business generally require things to be done in that way.” (*Hear, hear.*)

The way the merchant seemed to have suspected that even after the promise was given, that the promise possibly might be broken; and, therefore, he wanted, in the first place, a written request for the money; and in the second place, the receipt for the money paid. After this conversation took place, Sir Hugh Allan and Mr. Abbott retired, and presumably went to the office of the latter, and there drew out the formal letter for Sir George as follows:—

“Dear Sir Hugh,—The friends of the Government will expect to be assisted with funds in the pending elections, and any amount which you or your Company shall advance for that purpose shall be recouped to you. A memorandum of the immediate requirements is below.”

“Very truly yours,”

“George-Étienne Cartier”

“Sir Hugh Allan.”

“Now wanted:—Hon. Sir John A. Macdonald, \$25,000, Hon. Mr. Langevin, \$15,000; Sir George-Étienne Cartier, \$20,000; Hon. Sir John A. Macdonald, additional \$10,000; Hon. Mr. Langevin, additional \$10,000; Sir George-Étienne Cartier, \$30,000.” This showed that Sir Hugh Allan was resolved, as had already been said, to have the matter put in the best possible business order before he advanced this money to enable the Government to spend it in carrying the elections, and he had the promise of the contract at this time. By the evidence laid before the House it appeared there had been some agreement, but that does not appear to have been brought out; however, the evidence was conclusive as it stood, that Sir Hugh Allan refused to advance any money until he was assured that he and his associates would get the contract. Then he at once began to pay out money. Then we found that in writing to his associates, Sir Hugh Allan said, as they might well suppose, the matter had not reached this point without expense. (*Hear, hear.*) That is before the contract had been obtained. He also tells them again that \$8,500 had been paid out, and that much larger sums would be required, but that a portion of them were not payable until the contract was secured.

Again, on the 6th of August he tells them he thinks it will altogether reach about \$300,000. That letter read as follows:—“This position has not been attained without large payments of money. I have already paid over \$200,000 and I will have at least \$100,000 more to pay. I must now soon know what our New York friends are going to do. They did not answer my last letter.” This showed that he expected his associates in New York to repay this sum. It was a part of the bargain. He said that point had not been reached without large expenditure, and he had still a large sum to pay, and it appears clear that in doing these things he was acting in pursuance of an agreement. This was the evidence produced by hon. gentlemen opposite.

He (Hon. Mr. Mackenzie) might also remark upon the nature of the proceedings in another case, where the hon. member for Hochelaga waited upon this generous contributor, who had become

all at once a strong party man (*ironical cheers*), and who had signed requisitions for tens of thousands of dollars without scruple. It really looked as if Sir Hugh had all at once become the self-constituted treasurer of the right hon. gentleman, opposite, and was supposed to be in a position to pay any amount he was asked for. (*Cheers.*) We were told by some persons that this money was merely given on loan (*Hear, hear*), but where was the evidence of that in the documents laid before the House. (*Cheers.*) To be sure, Sir Hugh Allan said a little about it in this way. The letter of Sir George-É. Cartier of the 24th August, of which a copy is published, is in these terms “In the absence of Sir Hugh Allan, I shall be obliged by your supplying the Central Committee with a further sum of \$20,000 upon the same conditions as the amount written by one at the foot of my letter to Sir Hugh Allan on the 30th ultimo.”

(Signed)

“George-É. Cartier”,

“P.S. Please also send Sir John A. Macdonald \$10,000 more on the same terms.”

If it was a subscription why should it have to be recouped, or why should a promise of repayment be given? Hon. gentlemen opposite must either defend it as a subscription or prove it as a loan. They had been defending it on both grounds. What was meant by these expressions, the Commissioner asks “the same conditions” and “the same terms”? “It is difficult to say,” Sir Hugh replied, “What Sir George meant by those words. He was not a man with whom you could talk very much, because in all the interviews with him he generally did most of the talking himself, and you could with difficulty say anything. I never understood exactly what he meant on any of these points. I was quite satisfied that he probably felt that he did not like to be under such very heavy obligations, and would endeavour at some future time to make it up by subscription or otherwise. I did not think he had any very definite idea, and I did not think it would be done.” Here was the language Sir Hugh made use of. He knew that the money was given for the promise of the contract, and having got that promise it followed, as a matter of course, that he knew there was to be no recouping in the business. (*Cheers.*)

He (Hon. Mr. Mackenzie) produced his own evidence in proof of the assertion that there could not be any expectation of having the amount repaid. Sir Hugh Allan stated so himself in the correspondence with his American associates. On the 6th of August he wrote that he had already paid out over \$200,000, and would have at least \$100,000 more to pay, and he wished to know what his New York friends were going to do in the matter of repaying him. He gave those who were associated with him constant intelligence of the amounts paid, and they had already advanced him \$40,000, as part payment of this money. (*Hear, hear, and cheers.*)

In his letter of the 16th of September, when it was to be presumed, the great fund was completely exhausted, and when they had got all they wanted, the last election having taken place on the 14th September, he wrote in this way. “I have disbursed \$343,000 in

gold, which I want to get repaid. I have still to pay \$13,500, which will close everything off. I will go to New York as soon as the contract is signed, say about the 7th October, and would be glad to meet you there at that time." It was quite evident from these expressions in the correspondence that he never looked to the Administration to recoup the money he had advanced, but it was to be repaid by his associates in the United States. (*Loud cheers.*)

In still another passage, where he points out that he would have to pay money, it would be recollected that it was stated that his American associates were to retain six of the ten millions of capital which the Company were to subscribe, the other four to be distributed among the Provinces of Canada. He also pointed out in his letter of the 7th of August that in bringing the matter to this point, the expenses had been very great, and he had already paid away about \$250,000, and would have to pay at least \$50,000 more before the end of the month. He did not know that even this would finish it, but he hoped so. He continued:—of course, this will all have to come from the subscriptions of the six millions stock. I had shown that he did not look even to his Company as a whole to have the amounts repaid. The advancement of these amounts was to be kept secret from Mr. Macpherson, and the other Canadians, and probably from the gentlemen of the Lower Provinces. The American associates of Sir Hugh Allan, who were to own the six millions of stock, were to pay the whole amount which had been advanced, except, perhaps, any sums that might have come out of Sir Hugh's own pocket.

He thought he had established very conclusively two or three propositions. In the first place, that Sir Hugh Allan absolutely refused, not only to lend any monetary assistance but that he refused to assist in the elections in any way, until he had assurance of this contract. (*Cheers.*) He had, in fact, endeavoured to inflame the minds of the Lower Canadians against Sir George-É. Cartier until Sir George was compelled to yield, and it was said that Sir George, in order to be even with him, raised opposition to the election of Mr. Abbott in the County of Argenteuil. He made this reference with the greatest possible regret, that he was compelled to use the name of a gentleman with whom he was long associated as a member of this House, although not in an official capacity, and who was now no more, and he would deal with his memory as gently as the circumstances would permit. The fact was now established by the evidence produced by hon. gentlemen opposite themselves, that instead of Sir Hugh Allan being considered a member for the Ministerial party, he was simply an actual speculator and merchant. He told us himself, that he was no politician, and never voted at a parliamentary election except once.

He (Hon. Mr. Mackenzie) need not refer to the severe contests which his hon. friends, Messrs. Holton and Dorion and their party had had in the City of Montreal, where this gentleman exercised a paramount commercial influence. To show that that influence was not brought to bear upon these contracts upon any former occasion, Sir Hugh himself, told us that he never tried to exercise that influence, and never voted but the once at an election in his life. (*Hear, hear.*) If evidence more conclusive could be asked for to

prove that Sir Hugh was simply proceeding as an ordinary business matter, he (Hon. Mr. Mackenzie) was utterly unable to read the logic of events as they presented themselves in our minds; but the very moment the arrangement was made on the 30th of July, an assurance was given to this man of business that he should obtain the contract for himself and his friends.

How much money was then mentioned? Sir Hugh and Mr. Abbott did not agree about it. One statement was that it would be about \$100,000, but Mr. Abbott thought it was simply stated that a large sum would be required. It seemed very extraordinary that one, two, three or four hundred thousand dollars should be asked from Sir Hugh Allan at all, but it was perfectly incredible that Sir Hugh should have given it, except as a consideration for the promise of the contract. In his evidence Sir Hugh told us that, but in his letter to his American associates of the 7th of August, he further said, "It is unnecessary to detail the various phases through which it passed, but the result is that we yesterday signed an agreement by which, on certain monetary conditions, they agree to form a company, of which I am to be president; to suit my views, to give me and my friends a majority of the stock, and to give the Company so formed the contract to build the road on the terms of the Act of Parliament."

From the evidence it appears that the monetary conditions referred to in that letter were those which Sir George-É. Cartier wrote, and where the amounts of money required to carry on the elections were stated. It would be remembered that when the publication of Sir Hugh Allan's correspondence first took place, there was a very general expression of disbelief in its genuineness, and it was supposed to be more or less interpolated with expressions which could not have been true, and we have the spectacle of many newspapers in the interest of the right hon. gentleman opposite asserting that if these letters were genuine there was surely something wrong in the matter.

He had a perfect recollection of hearing gentlemen say, who followed the right hon. Premier, and of seeing articles in newspapers of the same principles assert that all this might have taken place without the knowledge of the right hon. gentleman or his Administration, and that Hon. Sir John A. Macdonald, as leader of the government at the time that this contract was given, knew nothing of the existence of those letters, or that if they did, it proved conclusively that he was a party to the transaction.

Now what was the truth about this? That if the evidence produced before the Commission established anything, it established this. This was what took place before the Commission on this point in the examination of the right hon. gentleman himself. "Question—Mr. McMullen's letters seemed to allege that copies were given you of certain letters between him and Sir Hugh Allan. Did you see those letters? Answer—On the 23rd of January he saw me and said he would send me copies, and he did send me copies. Question—Are these copies of the originals, which were afterwards included in the sealed packet? Answer—Yes, I think so. I have got them. Question—Are you able to state whether these copies you

have, are the originals here? Answer—I have got all the copies. It would take some time to bring them now, as they are at my house. Question—You will produce them tomorrow? Answer—I did not get them on the 23rd of January. He promised to send me copies of all the papers, and I subsequently got them.” Thus it was shown that these copies were in possession of the Government at the time the contract was finally given, or if the actual copies were not that according to the right hon. gentleman’s own statement, Mr. McMullen read portions of them to him.

With regard to that correspondence, before he closed his reference to that portion of his subject, he would call attention to the very remarkable proceeding of Mr. Abbott and Sir Hugh Allan in reference thereto. That correspondence had actually been defended since its publication as perfectly legitimate and proper. When Mr. Abbott was before the Commission and when speaking of the interview between himself, Sir Hugh Allan and Mr. McMullen, with reference to the deposit of the packet of papers in Mr. Starnes’ hands, the payment of \$20,000 to Mr. McMullen, the retention of \$17,500, the question was put to him, was it at your suggestion that a portion of the money be withheld? “Answer. Yes. Question—You were acting as solicitor for Sir Hugh Allan? Answer—Yes. Question—And thought it a reasonable and proper precaution to take? Answer—Yes. I thought it possible that there might be copies of those letters extant, and that no sooner would the money be paid than copies might appear in the newspapers. I thought that the retention of a portion of the money would operate as a check against anything of this sort. He was to retain them until within ten days after the end of the coming session of Parliament. Question—Why was that time fixed upon? Answer—Just for the same reason as any other time might have been fixed upon, in order to give sufficient time to enable the delegation to go to England and return”. The publication then would be better than during the session of Parliament, as it would create less noise and scandal than during the session.

Mr. Abbott was a wise man in his generation. (*Cheers and laughter.*) He appeared occasionally as the confidant of that Prince of speculators, Sir Hugh Allan. Sometimes he apparently acted as his solicitor, sometimes as a person interested in the business himself, and sometimes as the apparent confidant of the right hon. gentleman opposite. (*Cheers.*) What his real position was he (Hon. Mr. Mackenzie) did not know, but he knew from his evidence that he was apprehensive that if the publication of these letters took place before the rising of Parliament there would be a considerable row over it. It was extremely desirable that this should be prevented, and he trusted to the chapter of accidents and the lapse of time, that something would turn up before they would get abroad, that would deaden the effect of their publication. They were published, nevertheless, and we knew the facts. If this money was a mere subscription, how was it that the amount of the subscription was never told. Was it the original amount, or was there a maximum sum fixed, upon which drafts might be made (*Hear, hear*). Mr. Abbott seemed to have a carte blanche to pay whatever drafts were required, and we found in the correspondence published some very remarkable telegrams, such, for instance, as that bearing

the signature of the right hon. gentleman opposite, asserting that he must have ten thousand more (*great cheering*), and that it would be the last time of a calling. (*Cheers.*)

We also found Mr. Abbott authorizing the right hon. gentleman to draw upon him for the \$10,000 additional, so that we see the drafts were not confined to the amount named on the requisition of Sir George-É. Cartier; but were made just as the political exigence of the prime mover in the matter demanded. It was also found that at the time of this last call, the elections were nearly all over, and only twelve or thirteen were to take place, there was no doubt it must have been in some of these counties that money thus required was spent. The election in South Victoria was one of the last that took place; was there a portion of the \$10,000 spent in this County, or where was it spent? (*Cheers.*)

He was bound to say that Mr. Abbott was generous in matters relating to the expenditure of money. (*Cheers and laughter.*) In his evidence before the Commission he informed us that so zealous had he become in the interest of the party, which he was practically opposing a few weeks before, that in his opinion three times the money would have been well spent if it had been necessary to keep a Government in power which has, according to Sir Hugh Allan’s views and his own, the improvement of the country so much at heart as this Government appeared to have. (*Ironical cheers.*) These very same gentlemen, who thought nothing would have been too dear a price to keep the Government in power, had only a few weeks before done their best to break down this Government unless they came to terms. (*Loud cheers.*) At least such was the general belief. The hon. gentlemen opposite laughed at this, but it was no secret and Sir Hugh Allan himself said that he was making matters so hot for Sir George-É. Cartier in Montreal, that he would be compelled to come to terms. (*Cheers.*) And it was well known that his efforts in that direction had gone so far that it was impossible to counteract them in time to save the election.

Hon. Mr. CAUCHON: He declares that himself.

(*Cries of order, order.*)

Hon. Mr. MACKENZIE said he did not at all complain of the interruption. (*Cheers and laughter.*)

He would just say a few words more upon the money matter before he passed on. He had already referred to the very extraordinary parliamentary electioneering utterances of the right hon. gentleman opposite. It appeared that in certain places where the right hon. gentleman appeared, that he felt it necessary to deny the imputation that he had employed any money at the elections. He would make a quotation from an article in the right hon. gentleman’s own paper, and leave it to Mr. Abbott to say whether he had received or been promised any money on behalf of the elections at that time. The occasion was the nomination for South Perth at St. Mary’s on the 19th August, and the following was the quotation referred to:—“He appealed to Mr. Kidd to say whether he had received or been promised any money from the Government to

carry on the contest in South Perth." Mr. Kidd replied "Not a farthing." Hon. Sir John A. Macdonald said the same answer would be given by every candidate in Ontario if appealed to. Was it possible that this money was not used at the elections, or was the language made use of on the hustings at Perth North, simply for the purpose of endeavouring to create the impression that the elections he won were simply gained on account of the right hon. gentleman and his administration. (*Hear, hear.*) He (Hon. Mr. Mackenzie) put the right hon. gentleman's own statement against his own evidence and left it to the gentleman himself to explain them. (*Cheers.*)

Referring to the charges of Hon. Mr. Huntington, he said it would be remembered that when the matter was first brought up in the House there was an extreme dislike manifested to a Parliamentary inquiry, and the proposition was voted down by a considerable majority, that majority believing that it was impossible that charges so extraordinary could be true; but the right hon. gentleman moved for the Committee himself afterwards and the Committee was appointed by the House.

When the Oaths' bill was introduced and got through this House—not as fast as it might, but still it was not detained very long—when it went to the Upper House the colleagues of the right hon. gentleman there refused to take charge of it, and although they finally did so, it remained a very long time in this House, and before the investigation could proceed some thirty days had elapsed. It was expected then that the proceedings would be gone into at once and the first meeting was accordingly held on the 5th of May, the charge having been preferred on the 2nd of April.

Following the course of the Administration upon this question up to the present time, it was tolerably evident from the first that the intention was to delay the enquiry being preceded with as much as possible. When the Committee met on the 5th day of May, it was adjourned again till the 6th, and on the 7th, the report was presented, which adjourned the Committee to a distant day after the House would have risen. On the 14th day of that month, Hon. Mr. Huntington moved for certain papers to be impounded—that is the papers which were deposited in the hands of Mr. Starnes, and which contained the correspondence of Sir Hugh with his American associates. Hon. gentlemen on this side of the House endeavoured to prevent the adjournment of the Committee on the ground that it was not necessary that the accomplices of the accused should be present. It was urged upon the other side of the House that it would be unfair in their absence to proceed with the enquiry, but as they were only wanted as witnesses, it was difficult to understand how that conclusion was arrived at. The ground was taken upon this side of the House that the evidence of the witnesses who might present themselves might and should be taken immediately, and he for one thought that the non-presence of Sir Hugh and Mr. Abbott was a very remarkable excuse for this adjournment.

In Courts of Justice witnesses were frequently excluded until the evidence of other witnesses had been taken, but unless the Administration argued that the evidence of no witness should be taken until all witnesses were in the court room, their excuse fell to the ground completely. Was the evidence of the right hon.

gentlemen, his associates, to be at all different whether Sir Hugh was on this side of the Atlantic or the other? The intention of the adjournment was perfectly clear, in order to gain time. The Oaths Bill was passed in such a shape as necessitated an instruction from the House before the Committee could proceed, when it might have been so framed that the Committee could have proceeded without that instruction. When the Committee met on the 2nd of July in Montreal, the Oaths Bill had been disallowed. It had been sent to England with all speed immediately after its passing through Parliament—in fact the very day it had passed. The disallowance was published in the *Official Gazette* upon the day the Committee met, before the rising of the House on the 23rd of May.

He (Hon. Mr. Mackenzie) put the question across the House to know what the intention of the Government was to be when they met on the 13th of August. The right hon. gentleman stated in reply, not as a message from the Crown (*hear, hear*), but simply in the ordinary form, that it was the intention to have the House prorogued on that day. (*Hear, hear, from Government benches.*) The hon. member for Châteauguay (Hon. Mr. Holton) reminded the right hon. gentleman that he might not be in a position to advise a prorogation on that occasion. He (Hon. Mr. Mackenzie) repeated that when the right hon. gentleman replied to the remarks of his hon. friend, he never said nor gave the House to understand that he was entrusted with a message from His Excellency, but simply said the adjournment was intended to take place on that day, nor did he say he had then advised prorogation. (*Loud applause.*)

He need not recall to memory the remarkable proceedings of that day. You had a little share in them, and so had I; and if I recollect rightly, I failed to get before the House the motion I intended to move. I had succeeded, to be sure, in having it placed in your hands, but it seemed it might as well have remained in my desk; but I remember another remarkable thing. I remember that you failed to make your appearances here at the hour you were ordered by Parliament to appear, and I remember seeing the Usher of the Black Rod at the door long before his Excellency reached the Senate Chamber. I recollect that you only succeeded in reaching this Chamber about the same time as His Excellency reached the other Chamber, and I recollect the instant that was announced the usher made his appearance here in order to summon the House to appear in the other Chamber. If the House had assembled at the proper time, I would have been able to get my motion before the House, and I look upon these extraordinary measures as an insult to this high court of Parliament. (*Loud cheers.*) This combination of circumstances showed that there was a collusion in order to prevent the free expression of opinion on the part of this House. (*Renewed cheers.*)

He would at another period discuss perhaps other matters relating to this subject. He was merely pointing out now the indecent usage that Parliament received at the hands of His Excellency's advisers of that day. (*Cheers.*) What was the object in thus suddenly proroguing Parliament. So anxious were the Opposition that everything should be conducted fairly, that when they met on the evening of the 12th, he suggested to his friends that if the

Government asked for an adjournment on account of the absence of their supporters, that that adjournment should be granted without question, (*cheers*) though he believed Ministers were mainly instrumental in preventing attendance of the gentlemen here.

He had been told that some Ministerial supporters had been informed by the Ministers that they need not attend, but when it was remembered that the more representation of Manitoba was to the fore, that there was at least one member from distant Cape Breton, and eight from other parts of Nova Scotia, and that on the Opposition side only two men were absent; it would be seen that the understanding was that Parliament should assemble on that day.

He had no hesitation in saying what the duty of Parliament was at that time. It was to protect its Committee that had been appointed to investigate these charges, and to give that committee specific instructions under the changed circumstances, in order that the enquiry might proceed. The committee were not only deprived of this assistance, but of its existence.

Parliament was prorogued apparently for the express purpose of preventing it from proceeding with the investigation, and putting it in the hands of a Commission. Who were the charges against? Against the Ministers themselves. Parliament had appointed a Committee for investigation and they deliberately chose to advise His Excellency to allow them to appoint a Commission to try themselves.

He was not in possession of that legal knowledge that would enable him to pronounce a dogmatic opinion upon the powers of that commission; but, he was advised by, he believed, every constitutional writer and by all constitutional usage, that the Commission had really no power. We know that they never attempted to force a witness to attend (*hear, hear*) and doubtless they abstained from any attempt of that sort, simply because they knew they existed outside of the Constitution of the country. (*Cheers.*) Nothing could be more outrageous than thus first violently proroguing Parliament, thus taking the enquiry out of its hands, and then appointing a Commission to try the charges of which Parliament was seized. He had not attempted a careful critical analysis of the evidence presented. That would doubtless be done by other gentlemen; but he had simply to point out that the evidence disclosed showed, in the first place, that there was a determination to carry the elections at all hazards. He had no objection to a purely political contest, however fierce, but for the Government having the administration of the affairs of the country in hand, having a gigantic enterprise in charge, to use the contract for that enterprise for the purpose of foiling their opponents was unfair in the first place, looking at it simply as a political involvement, and it was without precedent in the history of this country.

We are at the present moment in the heat of a great crisis in the political history of this country. It was quite evident that our system was on its trial at the present moment. If this sort of work can be carried on with impunity by the administration of the day, then

Representative Government had practically failed in this country, (*hear, hear*) and if the Parliamentary system of government failed, what were we to substitute in its place? Did these gentlemen look at nothing but the retention of office by themselves? Was this to be the chief end of the Ministers in this country? He appealed to every man in this House to consider seriously the position in which these matters had placed us, and say by their votes on the motion he proposed to submit whether they were willing that this system should continue.

It was not necessary that he should at the present moment address any further remarks upon the subject. He had made good the statement with which he commenced his address, namely, in the first place, that the whole policy of the Government for the last two and a half years had been directed towards accomplishing a Parliamentary victory at the recent elections; that the refusal of an electoral law to provide for the greatest possible purity of elections; that their making a compact with British Columbia that this road should be built within ten years; that their using that as a lever for obtaining extraordinary powers from Parliament; and that their intrigues with a wealthy capitalist in order to obtain money to carry the elections, all merited the condemnation of this House.

He concluded by moving that the following words be added to the paragraph:—"And we have to acquaint His Excellency that by their course in reference to the investigation of the charges preferred by Mr. Huntington in his place in this House, and under the facts disclosed in the evidence laid before us, His Excellency's advisers have merited the severe censure of this House." (*Loud cheers.*)

The motion was seconded by Mr. Coffin.

It being six o'clock, the House rose for recess.

AFTER RECESS

Hon. Mr. TUPPER said he rejoiced that the time had come when his colleagues and himself were in a position to discuss this question in the presence of an independent Parliament and free people. The Government had been assailed as no Government in this, or he believed in any other country, had ever been assailed, and he entirely concurred in the sentiments enunciated by the hon. leader of the Opposition when he said that the decision of this question was one that was not simply to affect the Government of the country, but was to affect in the deepest and broadest sense the prosperity of Canada. (*Hear, hear.*) He believed that if ever there was a time that this Parliament was called on to deal with a question momentous in its results it was at the present hour. (*Hear, hear.*) He believed he should be able to show that not only had this Government been assailed in a manner that was unprecedented in history, but motives were behind that assault of a character that would not bear investigation. (*Hear, hear, and no, no.*)

When hon. gentlemen opposite had been unable, as they would be unable, to sustain in the slightest degree the false, and scandalous charges—(*cheers*)—which they had brought forward, it would be shown that lying behind them there were influences which they themselves would be ashamed to own. (*Derisive cheers from the Opposition.*) He had no hesitation in saying that there was no gentleman in this intelligent Chamber, after listening to the address of the leader of the Opposition, but felt as he did that this case had been abandoned at the outset. (*Cheers.*) He said that no intelligent man in the House or in the country could listen to or could read those charges as made by the hon. member for Shefford (Hon. Mr. Huntington), and presented to the House, and listen to the address of the leader of the Opposition without feeling that in the outset they had abandoned their charges. (*Cheers.*) The hon. gentleman had spoken of the lengths to which the Government were prepared to go in order to secure the extension of their lease of power. Those who had watched the career of the hon. gentleman and those who sit behind him would, he believed, come to the conclusion that while the Government of the country had endeavoured to secure a lease of power by bringing forward such measures as they believed would advance the prosperity, raise the character, and elevate the position of Canada, they had been met by gentlemen opposite using efforts and adopting means in order to obtain the power which the Government possessed, such as he believed never would receive the sanction of a majority of the Parliament of Canada, or the approval of the people of this country.

The hon. gentleman had himself shown the length to which he and those associated with him were prepared to go to secure power. (*Hear, hear.*) He could well understand his suspecting the Government of using improper means to retain power when he knew the means upon which he (Hon. Mr. Mackenzie) was disposed to rely on in order to obtain possession of power. (*Hear, hear.*) The hon. gentleman had undertaken in advance to claim the support of a majority of this House. (*Opposition cheers.*) It was not the first time that members of this House and the people of this country had heard the hon. gentleman claim to have in his hand the possession of a majority (*cheers*), but it had turned out that the hon. gentleman had counted without his host, and he would tell him on the present occasion that it became him to boast who laid off armour, and not him who put it on. (*Cheers.*)

He (Hon. Mr. Mackenzie) declared there were evidences that the Government was losing the confidence of the country. He had pointed to the fact that in the Province of Ontario he had received a majority of supporters at the last general election. He (Hon. Mr. Tupper) granted it, but he asked them to look at the means by which that majority was obtained. Why did not the hon. gentleman tell the House of the issues that were put before the people of Ontario?

Why did he not tell the House the fact, which was patent to every intelligent man in the country, that when the parent state, the Mother Country, to which we owed so much, in her extremity, made an appeal to the Government and Parliament and people of this country to sanction her in the settlement of one of the most

important questions with which she was ever called to deal, was met with such a response from Canada as a loyal appeal from the Mother Country would always receive. (*Cheers.*) In the hour of England's extremity when there were important interests at stake, interests that touched the very connection of this country with the parent State, interests that involved, in the opinion of England, the security of the Canadian possessions; in that hour what did hon. gentlemen opposite do? They forgot what they owed to Canada and to the Mother Country. (*Hear, hear.*) They endeavoured to assist the government of the country in a manner such as the people of Canada had never approved and never would approve.

The Government were told now that they had sold the Canadian Pacific Railway charter for the means to carry the elections at the last general election. The Province of Ontario especially was made to resound with the declaration that they had sold the interests of Canada slavishly at the bidding of the parent State, and the hon. gentleman went throughout the length and breadth of this country issuing every disloyal sentiment towards Great Britain. (*Cheers and cries of no.*) Did the hon. gentlemen dispute this assertion? (*Yes.*) He would read the language of the leaders of the Opposition and of the hon. gentleman who had just addressed the House, to the hon. gentlemen who sat beside him, and he would leave it to the House and to the country to say whether he was sustained when he declared that there was no means that were not used by which the public sentiment of the people of Canada could be influenced against the Government, on the ground of their having bartered away the interests of the people of Canada at the bidding of the parent State.

At the Reform banquet in Toronto, when the platform of the Party was laid down previous to last session, Hon. Mr. Blake said the advisers of his Excellency had consented to the absolute cession of the sovereignty of the St. Lawrence to the United States. (*Hear, hear.*) Let him give the hon. gentleman's comment on that statement, and then let him say if he durst in this House, that he (Hon. Mr. Tupper) was not sustained in what he said, that no language was more calculated to excite sentiments of disloyalty to the Crown.

This was what the hon. gentleman said: "No greater stretch of the prerogative had occurred within the last quarter of a century; no greater insult to the Canadian people, and no greater violation of the principles of Colonial government, which had been so firmly established could be well conceived." Could the English language, he (Hon. Mr. Tupper) asked, provide the gentlemen with the means of further aspersing the Imperial Government? He would give them the remarks made on the same subject, and on the same occasion by the same member for Lambton. Hon. Mr. Mackenzie said his friend Hon. Mr. Blake and others of them took ground early after the treaty was concluded that their country was in danger, and that the treaty was a dishonourable one to England and to Canada. (*Opposition cheers.*) Now let hon. gentleman meet him with derisive cheers if they could when they had succeeded in obtaining a poor success in Ontario—for it was a poor success to obtain a small majority in one Province in hostility to the government which

was standing by British interest and British connection, and showing a desire to meet fully, and fairly and generously, and to reciprocate the obligations which we had incurred to the parent State. At that hour those hon. gentlemen felt it not unworthy in order to obtain a small advantage to sacrifice interests which the entire vote of the Province of Ontario would have been inadequate to compensate for. (*Cheers.*)

Believing, as he did, that the honour, the advancement, the material prosperity, the commercial status, the elevation of our common country in every sense of the words, depended on our indissoluble connection with the parent State, he said that he was an enemy to Canada and unworthy of the position of being the leader of public sentiment in Canada—(*cheers*)—who for the paltry object of obtaining power would use the influence and ability which God had given him for the purpose of endeavouring to degrade in the estimation of the people of this country, the sentiment of Great Britain towards ourselves, and as far as in him lay to loosen that tie, and weaken that attachment upon which depended the future glory and progress and prosperity of this country. (*Cheers.*)

That was not the only means by which the hon. gentleman obtained an advantage in Ontario. At the last election the hon. gentleman and his friends made Ontario resound with the cry that Canada was ruined by the efforts which the Government had made to secure the construction of the Canadian Pacific Railway. They went from end to end of the Province with the declaration that the monstrous load of debt which the Government were laying upon the country, the inordinate consideration that they had offered to secure the construction of that road, would paralyse the energies of the country, and would ruin the prospects of Canada. They professed then on the other side of the House as they professed now, that they were in favour of the construction of the Canadian Pacific Railway. He asked them to look at the facts as they stood today when all the means provided by the Government of Canada and sanctioned by this Parliament had proved utterly inadequate to secure the building of the road which they declared was a necessity, and one Canada was bound to provide for. He asked them if they had any reason to congratulate themselves upon the poor success which had attended their attempt to undermine the Government in the confidence of the people.

Beyond that there was a means, not less unworthy than those he had already alluded to, resorted to with the greatest possible amount of success. These hon. gentlemen, and the press supporting them, had used as a great lever by which they could move the public pulse of the people of Ontario the declaration that the Government was sacrificing the interests and the rights of the people of Ontario to the advantage of the smaller Provinces. (*Opposition cheers.*) These gentlemen had gone through Ontario declaring that it was necessary for the people of that Province to combine in self-defence; denouncing the Government for the concessions by which a great and important Province had been conciliated; denouncing the terms given to Manitoba (*hear, hear*), and to British Columbia (*hear, hear*), using the sentiment that the member for Norfolk North (Mr. Charlton) gave utterance to that the ten members for Manitoba

and British Columbia were bogus members, and indignantly enquiring if the Government of the country was to be controlled and carried on by men who had no rights as against the great Province of Ontario. It was by means such as these from which high-minded and honourable statesmen would shrink (*cheers*), that hon. gentlemen opposite secured a majority in the Province of Ontario, but after all their effort they had not as many men pledged to sustain them as would give them the control of the House. And yet the hon. gentleman congratulated himself on his position.

He had thought it necessary to allude to the late Government of Ontario in terms that he left to the hon. gentleman's able colleague, the member for Durham West (Hon. Mr. Wood) to answer. (*Cheers and laughter.*) At the last election, however, the present Government of Ontario not only gave its moral support to the hon. gentlemen opposite, but used means such as no honourable-minded set of men would have used. But the result showed that the people of Ontario were sound at heart, and a large portion, if not a majority of that people, were prepared to sustain the Government who were carrying on fairly and honestly the business of the country. (*Hear, hear.*)

The hon. gentleman had said that this system of government was on its trial. Before he sat down he would show why he believed that statement to be well founded, and he would give his reasons for believing that the trial would be short, and that the execution would soon fall. (*Cheers.*) When Parliament met and those gentlemen found themselves, notwithstanding their boasts, in a minority, they did not hesitate to use in this House the same means as they had used in the country. Every question in relation to the Washington Treaty that could excite and disturb the public mind, and as far as possible prevent the results which they had every reason to anticipate would flow from that Treaty, was brought up. Every motion made by hon. gentlemen which was brought to a vote, was voted down, and they found that as the country had ratified the conduct of the Government, so the House was prepared to sustain that action, and those empty boasts ended, as he believed this effort of the hon. gentlemen would end, in leaving them a very decided minority. (*Hear, hear.*) When every other effort had failed, these hon. gentlemen felt it not unworthy of the position they occupied as a constitutional Opposition, to bring forward charges which, at the very hour they were made, there was historical evidence to prove utterly baseless and without foundation. (*No, no, from the Opposition.*)

The member for Shefford (Hon. Mr. Huntington) had charged the Government not only with bartering a great public contract to secure money for the elections, but with bartering it to foreigners and to a rival company, the Northern Pacific Railway Company.

Hon. Mr. HUNTINGTON: That is not the charge.

Hon. Mr. TUPPER said he would read the *ipsissima verba* of the charges, to show that what he had stated was correct. He then, amid great interruption from the Opposition, read the charges. If they were anxious to hear the motion they would be rather quieter.

(*Hear, hear.*) The charge made by the hon. gentlemen was that the Government were aware that negotiations were going on between Sir Hugh Allan and his American friends. He asked the House whether his position on this motion is not triumphant. Now let the hon. gentlemen retract the story. The hon. member for Lambton (Hon. Mr. Mackenzie) in his speech, had not dared to take the position that the Government of the country had sold the contract for the gold of foreigners. The position that he (Hon. Mr. Tupper) occupied was one that spoke for itself. The mere declaration of the hon. member for Shefford had been met as it had been made, by a mere denial. The historical facts, as they existed in that day, were in themselves abundant proof to show that the charge was false.

The facts were that the Government had refused to give the contract to any person connected with the Americans. The fact was that the power of the Jay Cooke Company was bound up with hon. gentlemen opposite, to try and overthrow the Government, when that Company found it could not get the contract. The historical facts were such as to show every intelligent man in this country that there was not a shadow of truth in the charge, and that hon. gentlemen opposite knew that such was the case. That charge, made in the presence of the House, became public property. The wings of the country carried it throughout the length and breadth of the civilized world, and he asked if that was not sufficient reason to insure his friend, the right hon. gentleman and his colleagues, to take the course that they had taken. Was it not undignified of the hon. member for Shefford to make a charge calculated to leave a stain not only upon the Government but on the country itself.

He (Hon. Mr. Tupper) had no hesitation in saying that from the evidence taken before the Commission and now before the House, there was not a shadow of reason for such a charge. An injury had been inflicted upon the fair name of Canada which hon. gentlemen opposite if they had power for twenty years would be unable to efface. Before the charge had been preferred the people of England were with one accord loud in their praise of the exalted position of the Parliament of Canada. Hon. gentlemen opposite might congratulate themselves that they had removed this by the skilful use of language which they now wished to withdraw, as calculated to prejudice the character and position of Canada to an extent which was not easily repaired.

The Government had asked for a Committee because they felt it was due to the honour of the country that the charges should be submitted to the fullest investigation. When the Committee was appointed the hon. member for Lotbinière (Mr. Joly) moved that the testimony should be taken under oath. The House felt at once that the proposal of that hon. gentleman was a wise and just proposal. It was felt that it would be in the last degree improper for any man to come before the Committee and make statements which, under the solemn responsibility of an oath, he would not dare to make. What was the case? The Premier said to the hon. member for Lotbinière that he need not press his motion; that he (Hon. Sir John A. Macdonald) would pledge himself that the evidence would be taken on oath. What happened? Every person knew that the Premier expressed doubts as to the constitutionality of the Oaths Bill, but at

the same time he was so anxious that this investigation should be taken speedily and under oath, that he pledged himself that the Government would, in case of disallowance of the Oaths Bill, confer powers of a Royal Commission upon the Committee and the difficulty would be removed.

The Government had been charged with delay because Hon. Sir John A. Macdonald had claimed that in the absence of two hon. members of the House, it would be a foul wrong to those gentlemen that the charges which touched their characters as public men should be dealt with. Hon. gentlemen had been anxious to press an unfair advantage on those hon. gentlemen in their absence. They had retracted as they had before, and the House decided that it was wise that the Committee should adjourn their investigation until the arrival of Sir George-É. Cartier and Mr. Abbott (Argenteuil). Parliament had decided in the first place that there should be an investigation; in the second that the investigation should take place under oath, and that in the third place no discussion of this question should take place in Parliament until Parliament had that inquiry before it.

The House would remember how Hon. Mr. Huntington tried to bring evidence before it when the matter was in the hands of the Commission, and that the Speaker had ruled that the hon. gentleman could not do so. The House had acquiesced in that decision, and no hon. gentleman had taken the responsibility to appeal to the House against such a decision. That was not all. In order to keep the Commission alive an adjournment of the House was resolved on, and in giving a reason for that adjournment he must differ from the hon. member for Lambton (Hon. Mr. Mackenzie).

Hon. Sir John A. Macdonald proposed that the House should adjourn to a particular day, for the purpose of enabling the Committee to meet during recess. He was asked what would be done on the 13th August, and the reply was that the House would meet *pro forma* to receive the report of the Commission, and that it would then be prorogued. The hon. member for Lambton had said this reply had not been given as coming from his Excellency. The hon. gentleman knew quite well that nobody would lay any weight to that statement of his (Hon. Mr. Mackenzie's). It was well known that the Premier would not speak in any other way than he was authorized by the Crown. (*Applause.*) He would go further and say, that when that announcement was made, it was quite true that the hon. member for Châteauguay (Hon. Mr. Holton) had said, "perhaps you will not be in a position to advise on the 13th August", but that could only have happened by the resignation of the Ministry. He maintained that when the announcement was made that the meeting in August would only be *pro forma*, it became a solemn compact between the Crown and the Parliament, that on certain day certain things should take place. (*Applause.*) When hon. gentlemen dispersed far and wide, the position of the Crown would have been compromised by falling from that compact, and permitting this House to proceed with business in the absence of a single member.

He wanted to know what hon. gentlemen opposite would have said if the Government had said to their supporters—"Be in your places; we have pledged ourselves to the House, but we wish to steal a march on the Opposition," and had then passed a resolution condemning this whole matter. He believed that hon. gentleman opposite would have denounced the Government for having broken a solemn compact with Parliament. Well, on the 2nd of July the gentlemen composing this tribunal met in Montreal pursuant to adjournment. For a long time hon. gentlemen opposite circulated through the length and breadth of the land statements which the hon. member for Lambton had referred to in his speech, to the effect that the Government of Canada had sent a special agent to England to procure the disallowance of the Oaths Bill. But this statement had been destroyed by evidence which no man dare to gainsay, when it was found that the right hon. gentleman at the head of the Government had sent the strongest despatch that man could send to the Imperial Government, urging the reasons why they should assent to the Oaths Bill. Gentlemen opposite had made charges against the Government, for the purpose of affecting public sentiment in the country.

On the 2nd July the Committee met in Montreal, when they were met by the Government with the only means by which they could proceed to discharge the high and important duties which had been entrusted to them by this Parliament. They were tendered a Royal Commission. That would have enabled them there and then where all, or almost all, the witnesses were present in Montreal—(*cheers*)—to have gone on. The Government removed the only difficulty created by the disallowance of the Oaths Bill, and took it out of the way. (*Cheers.*) On this point he would only say that he did not place quite so implicit confidence in the opinion of the hon. member of Bruce South (Hon. Mr. Blake) on questions of Constitutional laws, as his high position at the Bar of Ontario would seem to justify. As a lawyer, he would place implicit confidence in any opinion of the hon. gentleman when a Party question was not involved; but he must confess that when the hon. gentleman looked at these questions through Party spectacles, his vision was a little clouded. (*Laughter.*) He then related several instances in which the Party bias of the hon. gentleman (Hon. Mr. Blake) had led him to give opinions which had been controverted by the Law Officers of the Crown, notably the question of the Nova Scotia better terms and the appointment of Queen's Counsel, and on all of which cases the Premier had been right. And so when the hon. gentleman ventured to state that there could be no doubt as to the constitutionality of the Oaths Bill in the face of the fact that the Confederation Act declared that the Parliament of Canada should have such power and privileges as were possessed by Imperial Parliament at the time of the passing of that Act, and no others; that the Imperial Parliament did not at that time possess the power proposed to be taken by the Act.

Hon. Mr. BLAKE said he had not been present at the discussion on this measure.

Hon. Mr. TUPPER: Would the hon. gentleman deny that he had lent the weight of his authority to the Oaths Bill?

Hon. Mr. BLAKE would repeat what he had already said.

Hon. Mr. TUPPER was glad that the hon. gentleman had qualified his statement, for he was sure there had never been any greater insult to this country than the line his Party had taken on this question. The country had been convulsed by the statements which had been circulated in respect to the Oaths bill, and if the hon. gentleman did not approve of this line then public deception in this country had gone further than he thought it possible for it to go.

Hon. Mr. CAUCHON: The hon. member for Cardwell (Hon. Mr. Cameron) gave the same opinion.

Hon. Mr. TUPPER: When he showed that instead of being desirous of promoting the inquiry the hon. members for Bruce South (Hon. Mr. Blake) and Napierville (Hon. Mr. Dorion) had refused to avail themselves of the means which the Crown had provided to give effect to the unanimous vote of the House, hon. gentleman must not be surprised if the country failed to put much faith in their professions. He asked them if they would be surprised if, when the people of the country saw that, on a mere question of form, these gentlemen refused to perform a duty which they professed they were anxious to proceed with; and when they were anxious to proceed with a course which had met with the universal reprobation of every authority, worthy of consideration—for it was decided by the House that the evidence should be taken under oath—when therefore he proposed that they should proceed to take evidence without the sanction of an oath, he asked them if they would be surprised when he proposed to take such a course if the people of the country met them with distrust? The Government of the country were anxious to be arraigned before a fair and independent tribunal, and to answer upon their oaths every question that could be asked of them.

But if the matter were followed down to its legitimate results, it would be found that the gentleman opposite discovered that they had reckoned without their host, and that they had in reality no case; and as every other means had failed them, so this disreputable attempt to break down the credit of the country and the honour of the Administration failed them, and left them without having attained the power which they coveted so much. (*Cheers.*)

He thought that the hon. member for Lambton would be disposed to bury with the past their transactions of the day of prorogation. He thought that the hon. gentleman would like it to have been forgotten that he had rallied his Party from one end of the country by influences which he (Hon. Mr. Tupper) would be ashamed to name on the floor of the House. (*Opposition laughter.*) The *Globe* newspaper published a statement that members could claim their travelling expenses for coming here on that day, thus suggesting that members could only be induced to come here on the payment of their travelling expenses. He repeated, by means which he refused to name, the hon. member succeeded in bringing a large number of his followers to Ottawa on that day, and this notwithstanding the solemn declaration that had been made, and the compact that had been arrived at, that no business would be done on that day.

But there was another reason why the hon. member for Lambton should wish that the recollection of that day should be lost in the shades of oblivion. He (Hon. Mr. Mackenzie) claimed to be the leader of Liberalism and Reform in this country, and were they to be told that after thirty years struggle for Constitutional Government and after safeguards had been made against back door influences one so far forgot his rule as the leader of Liberalism and Reform, as to get up a round robin for the purpose of compelling the Queen's representative to accept the dictation of an irresponsible minority, acting outside of this House, and without free discussion on the floor of Parliament, and without the forms of Parliamentary Government as known throughout the world? If there was a man who should wish this buried it was the hon. member for Lambton, for it showed that all his profession of Liberalism and Reform were merely made for the purpose of creating an impression in the country; but that when the principles of Liberalism and Reform stood in the way, they should be trampled under foot as utterly unworthy of a great Liberal and Reform statesman who desired to attain to an immediate accession to power. (*Cheers.*)

He was not surprised that gentlemen not so well acquainted with public life should have been misled; that those who had not had such means of arriving at a correct understanding of great constitutional questions as the hon. member had had should have lent themselves for a moment to this, which on the surface had an air of plausibility. He was sure that the sober second thought of these gentlemen would tell them that if discussion on the floor of Parliament were taken away, then the whole great principle of Government, by majorities, was swept away.

Now, as to the question of the constitutionality of the Royal Commission—he supposed the hon. member for Bruce South (Hon. Mr. Blake) would scarcely again deny that on that nice important question he was again at issue with the great fountain of Constitutional Law, the Imperial law officers of the Crown.

Hon. Mr. BLAKE was not aware of it.

Hon. Mr. TUPPER would tell the hon. gentleman that if he did not know it, evidence of the fact would be submitted to the House at an early day; and thus in every instance the hon. gentleman found himself in error when his opinions were submitted to the crucial test of the highest authority known to the British Empire. (*Derisive Opposition cheers.*)

The hon. gentlemen uttered derisive cheers. He would tell hon. gentlemen that through the civilized world, wherever Constitutional Government was known, British Constitutional authority was looked up to and respected by men of all classes and parties. The hon. gentleman might bring into contempt the action of the Imperial Government, as he had done in respect to the Treaty, but that would not carry conviction to the country. (*Cheers.*) But it was not the mere question of constitutional authority that was raised. That matter, he took it, had been settled in a manner that was satisfactory to the House and to the country, despite all that could be said. To the Commission itself it had been objected that it was a partisan

Commission. The Commission had been denounced by hon. gentlemen and by their press as unworthy of the confidence of the country.

He asked the hon. gentleman on what grounds he undertook to prove that a partisan Commission appointed by Parliament, and with power to take evidence under oath, was better than an independent commission of Judges of the land. Did the hon. gentleman forget, when discussing the Election Law, he used language so extreme that he (Hon. Mr. Tupper) scarcely dared to quote it in the House? It must be borne in mind that this language was not made use of in reference to an unsworn tribunal, not in reference to a partisan Commission such as the Pacific investigation Commission was. (*Hear, hear, and laughter.*) The hon. gentleman would not question his statement when he said that it was possible to obtain a partisan Commission in this House; that Commission was the one under discussion. He was sure that he would admit that they might search the House to find greater partisans than himself (Hon. Mr. Blake) and the hon. member for Napierville (Hon. Mr. Dorion), and the gentleman from the other side of the House were equally partisans in their proclivities. The Committee was struck under the Grenville Act, under all the safeguards which the Imperial Parliament could devise for its fairness and impartiality.

He (Hon. Mr. Mackenzie) then spoke of the tribunal as a wretched Party Commission. Now he wanted to know by what course of reasoning the hon. gentleman arrived at the conclusion that the Committee was not appointed with the safe-guards which were provided in other cases, and why was it better than a Committee of Judges?

Hon. Mr. BLAKE said that in the Parliamentary Committee there were three partisans from one side, and two from the other, whereas on the Commission there were three partisans all of one side. (*Cheers and laughter.*)

Hon. Mr. TUPPER continued, saying that it would have been impossible for the Government to have obtained the services of higher judicial authorities in the land than the Commons, and so much was it the fact that even the Opposition press of the country had spoken with bated breath about the Commission, knowing that throughout the country they were regarded as honourable, impartial, and high minded men. (*Cheers.*) When the hon. member for Shefford (Hon. Mr. Huntington) was invited to appear before the Commission and make out his cause, he stayed away, knowing that it would not bear investigation before such a tribunal, and further, he said that the statement which had been made by the hon. member for Bruce South (Hon. Mr. Blake) in respect to the Commissioners would not be borne out elsewhere, and that it would have been impossible for the Commissioners discharging their duties in the face of the public, and subject to the keen criticism of the Opposition press, to have discharged them in any other way than in the impartial and high minded manner in which they did. (*Loud cheers.*)

But this Commission had been contrasted with a Commission appointed under the Grenville Act. A Commission of this House

had been declared to be incompetent to deal with the interests of a single constituency, but at the same time the hon. member for Bruce South had endeavoured to get the character, the honour of the Government of the Country, tried before a Parliamentary Committee, which could not take evidence under oath. (*Hear, hear.*) He had said before that when hon. gentleman took this course they gave the strongest evidence that it was possible for men to give that they had no confidence in their cause, and that their case could not stand the test of evidence taken under oath. (*Cheers.*)

When he (Hon. Mr. Mackenzie) was compelled to abandon the gravamen of his charge, when he had to abandon the charge that the Pacific Railway charter was sold to Sir Hugh Allan, when he abandoned the charge of foreign aid, which necessarily he must have done, and when he undertook to sustain this by a shadow of testimony—and to do this he did what, as a reasonable member of this House, he (Hon. Mr. Tupper) was surprised to find him do—read private letters which Sir Hugh Allan had sworn were incorrect—he gave up the case, and it was scarcely necessary to answer him. (*Cheers.*) Apart from all other matters, he (Hon. Mr. Tupper) contended that the Government were entitled to a Commission, because of the course which the Opposition had taken. After the adjournment of the Committee, they had taken the matter out of the hands of that body, and had placed the evidence before the country.

But these gentlemen, who were so anxious that the trial of controverted elections should be taken from the wretched Committees of this House, and be adjudicated upon by judges, considered this Commission a partisan Commission. He would like to know if the hon. gentleman required that the tribunal of judges for the trial of controverted elections should have two sides. He desired to know whether no confidence could be placed in this judge, or that, because he had been put on the bench by one said or the other. He (Hon. Mr. Tupper) knew that when the hon. gentleman made such an insinuation as this he made an insinuation which the conduct of the judges of this country would not justify, and yet the hon. gentleman had ventured to make such an insinuation. Now, he would like to know the answer the hon. gentleman had to give. It was known that the hon. member for Shefford invoked the aid of the Crown, and undertook to advise the Crown to the prejudice of the head of the Government. This attempt to trample under foot the principles of liberalism and reform in this country was met by her Majesty's representative in a manner which showed that constitutional Government was understood in England, and that those who were sent here to discharge the functions of the Crown would discharge them in a constitutional manner.

He now came to the question of the evidence before the Royal Commission. The House would readily understand when they saw the leader of the Opposition, in order to make out a case and to give it a semblance of consistency, read from a private letter, which the sworn testimony of Sir Hugh Allan declared to be incorrect, that there was not a shadow of authority for the statement which the hon. member for Lambton had made. He (Hon. Mr. Tupper) would like to know how the hon. member for Lambton, when he knew that

every means was used by the Opposition to prevent sworn testimony, and when he knew that sworn testimony had been obtained, had undertaken to prove by the unsworn testimony of a private letter, in what position he (Hon. Mr. Mackenzie) stood, and how he expected members of this House to place the slightest confidence in the case which he had undertaken to establish. (*Cheers.*) The fact was when the evidence came to be taken before a competent tribunal it was found that the whole case of the Opposition had melted away.

He would like to ask the hon. member for Shefford what would be thought of it at the Bar, of which he (Hon. Mr. Huntington) was a distinguished member, if he did in an ordinary suit at law what he had done in this case. If he were trying a property case and were to put down a list of witnesses by whom he expected to prove certain facts connected with the case, and who after the solemn ordeal of an oath, every one of these witnesses were to solemnly affirm that they were unable to prove that which he had declared them able to prove, what would be the consequences? He would like to know how he felt sitting opposite the hon. member for Vancouver (Hon. Sir Francis Hincks), whom he had declared could prove his whole case, and had disproved it. He would like to know in what position the hon. member stood when he found that every one of his witnesses had come forward and declared that they could not prove what he had said they could prove, but had proved the very reverse. He did not wonder that the hon. member shrunk from coming before that commission himself. He did not wonder that when he found that he did not appear face to face before any independent judicial tribunal, and in the face of those witnesses who received, when they met him in the street and asked him what they expected them to prove, the reply was "I really don't know."

He (Hon. Mr. Tupper) would not take up the time of the House by going into the case and proving that the hon. gentleman had been fishing for testimony; that the hon. gentleman had handed himself over to American influence, for which it was known he had always had a strong *penchant*, and aided the very American influence which the Government had thrust out. The House knew too well the circumstances which led to this contract for the construction of the Canadian Pacific Railway to render it necessary for him to occupy their time in detailing. They knew, whether wisely or unwisely, that the Government had contracted with the Province of British Columbia that this great back bone of the British North American Provinces should be constructed; they knew that British Columbia held the view that in order to make the union anything but a union on paper it was necessary that this great line of railway should be constructed, and that the Parliament of the country had pledged itself that the work should be undertaken and carried to a completion.

The hon. gentleman then detailed the circumstances attending the inception of the scheme, and of the introduction of the bills to the House. The whole question had been argued exhaustively, and this House had decided to give them all the powers they asked. They were not only not abused, but were not sufficient to secure the construction of the road. It had been said that a corrupt bargain had

been made with Sir Hugh Allan; but where was the *quid pro quo*? What advantage had Sir Hugh obtained? When he came to ask for the contract if we wished to make a corrupt bargain all we had to do was to issue a proclamation, giving him the contract; but we refused on the grounds of his American connection. We said, "If you will make it a broad Canadian Company, or amalgamate with the Interoceanic Company, we will give it to you." This Company having refused to coalesce with Sir Hugh Allan's we refused to give him the charter. Until the charge of corruption was proved before the tribunal of the House it was to be treated as idle wind.

It was unfortunately the case that we have not in this country the machinery for elections which existed in England. Here we had no Carlton Club. Money was spent, but no member of this House had been able even to say that any of it had been used for a corrupt purpose, and amongst the whole constituencies the amount was infinitesimal. The expenditure of money in elections was not confined to the Liberal or the Conservative Party in Canada. It was thoroughly understood in England, and members on the floor of the House of Commons there had frankly confessed the use of it. The people of this country were not to be led by hypocrisy.

The assertion that foreign gold had been used in elections had not been proved. The charge had been made against Sir George-É. Cartier, in whom Canada had lost one of her most distinguished patriots and high-minded men, who had devoted his life to reconciling the conflicting elements in the country, in which he succeeded to a remarkable degree. The subscription that Sir Hugh Allan gave, considering his means, was less than fifty Reform gentlemen had subscribed to the late elections. At the time he subscribed, Sir Hugh was engaged in a war to the death with the powerful interest of the Grand Trunk. He had taken up the Northern Colonization line to use from Montreal to Toronto, as well as other lines which made the carrying out of the Pacific Railway contract, no matter by whom made, a matter of vital importance to Sir Hugh Allan. His subscription of \$162,000, considering the interests he had at stake, rendered it a mere bagatelle compared with his means or the interest he had at stake. It was said the Government had given him the Pacific charter. A more unfounded statement could not be made. He was told he could not have it. He was only allowed to be one of thirteen directors selected from the whole country. He was allowed to subscribe one thirteenth of stock, and then under an obligation to surrender that to any who might subscribe, except a hundred thousand dollars, which each was allowed to retain.

The position Sir Hugh Allan had gained for himself pointed to him as the President of the company, but we gave him no more than we gave the twelve other gentlemen who were associated with him, none of whom could assign one dollar of the stock; and to show that he was surrounded by an independent board on the very first vote after its formation, a question to which Sir Hugh Allan attached great importance was voted down by them.

He (Hon. Mr. Tupper) then went through the list of directors of the late Canadian Pacific Railway, each of whom had received as much as Sir Hugh Allan, in fact he had not received as much as each one of the others. With regard to Nova Scotia he could say that

not one cent of money was ever spent there, except what was raised within the Province, and even after he had gone up to Ontario, and after all the elections were over he never knew that Sir Hugh had subscribed one dollar. Had he ever believed that the charge of the Opposition was in any one respect true he would have at once retired from the Ministry. (*Loud cheers.*) He knew from Hon. Sir John A. Macdonald's character that the charge was utterly false and baseless. (*Loud cheers.*) It was when the Opposition were inflaming the minds of the people of Ontario against England, when, he said, that the Ontario Ministry was using its utmost efforts and availing themselves of the most unscrupulous means to back the Opposition that his right hon. colleague asked his friends to come to the rescue. (*Loud cheers.*)

The Government of Nova Scotia had given the franchise to those who would vote in their interests and had refused it to those who would not do so, and the Canadian Government had done away with that injustice. The Canadian Government had pledged itself to construct a railway to British Columbia, and were met with obstruction in every stage by the Opposition. The question with gentlemen opposite was whether the right hon. gentleman should be struck down in his place. Was he right or wrong in saying that hon. gentlemen opposite built up their great Party on a narrow sectarian basis? If the country was prosperous it was because the policy of Sir John had succeeded in opposition to that of hon. gentlemen opposite.

He would ask those who looked at British America as it was before and as it was today what the country owed Sir John when hon. gentlemen opposite fell back from their position, and imperilled the great cause of Confederation, and when Hon. Sir John A. Macdonald stood firm in his course? When the Province of Nova Scotia complained that she had not been fairly dealt with, and the right hon. gentleman came down with a new scheme which had the result of making Nova Scotia contented, it was opposed by gentlemen opposite, who united themselves with gentlemen who declared that they would never rest until they broke up the Province, and united it with the United States. They denounced the terms given to Manitoba as unjust. They denounced the Government as having given undue political privileges to the Maritime Provinces. It would be remembered that the Government had been denounced for offering to Prince Edward Island the terms on which they had now come into the Dominion. If the Government had brought in these outlying Provinces, and if the condition and prosperity of the country had been such as to inspire praise it was because the policy of the Premier had been carried out in opposition to those opposite.

He hardly agreed with the member for Lambton (Hon. Mr. Mackenzie) that the issue of this question was brought in the deepest interest of the prosperity of Canada. He would ask the House if there was not reason to fear that foreign influence was at work on the other side of the House. The Government had been charged with wishing to put into the hands of the Northern Pacific Railway the Canadian Pacific. If that was not the charge there was no charge at all. Everybody knew that Jay Cooke & Co. were the

sole inspiration of the investment, and nobody knew better than the member for Shefford that those gentlemen were determined at every sacrifice to obtain the control of this great Canadian enterprise.

When this Parliament had passed a law under which the work should be constructed by Canadian and English capital and should traverse Canadian soil and when the Government had been approached by these gentlemen with a view of obtaining the contract of the work, what took place? They were told that on no account could they have the contract; and yet the hon. member for Montreal, who had openly avowed the principle that the best interests of Canada and of England alike would be served by separation—he would read a resolution which that gentleman had in Montreal announced on the 17th June, 1870, and the resolution had been met with hisses:—“It was acknowledged by all that the union of Canada with the Mother Country had given Canada advantage, but it was no less the truth that the time had come when the connection with the Mother Country was a material cause of difficulty—(*cries of no*)—a burden to the parent State, and a clog to the Colony, and that British America should assume a national position.”

Hon. Mr. YOUNG (Montreal West) enquired what date that was?

Hon. Mr. TUPPER: June 1870.

Hon. Mr. YOUNG (Montreal West) stated he was not then member for Montreal West.

Hon. Mr. TUPPER could only say that the hon. gentleman was not at that time the member for Montreal West, but he was not aware that Mr. Young had retracted these sentiments.

Hon. Mr. YOUNG (Montreal West): Not in the least.

Hon. Mr. TUPPER: Then the hon. gentleman avows that these are his sentiments—that the time had come when Canada was a burden to the Mother Country, and when it should sever connection with the parent State. He might be told that these were not the sentiments of the hon. member for Lambton, and he (Hon. Mr. Tupper) might say that many gentlemen opposite were as loyal to the Crown as he was himself. He was, however, going to draw the attention of the House to the position of gentlemen opposite.

He would like to draw the attention of the House to the fact that the hon. member for Lambton (Hon. Mr. Mackenzie) had congratulated the House last session upon the acquisition of the member for Montreal West (Hon. Mr. Young), and had stated he would rather have him there than the hon. member for Vancouver Island (Hon. Sir Francis Hincks), than whom there was no man more loyal to Britain. But that was not all. The member for Montreal West, since his election for the House, had been true to those sentiments, and had desired to place this country in the hands of the Americans for he undoubtedly meant annexation. He (Hon. Mr. Tupper) felt that the destiny of Canada was under the destiny of

the Mother Country, and it was Canada's duty to meet the desire of that country. The greatest misfortune that could happen to Canada would be to place her in a position that would involve her in the vortex of Republicanism. He looked with apprehension upon every desire for severing this country from the Mother Country.

After the Government and Parliament of Canada had decided that the Pacific Railway should be built, and that it should be built on Canadian soil, the member for Montreal West submitted to the Board of Trade an elaborate paper, for the purpose of getting that act of the Canadian Parliament reconsidered, setting forth in that paper that the route proposed by him was shorter; and what he (Hon. Mr. Tupper) complained of was, that when the fact that the route proposed by Mr. Young was pointed out to him as 260 miles further, by the engineer of the Pacific, he had not taken any means to correct his statements; and when he found that the hon. member for the North-west was unable to pass this resolution at the Board of Trade, the hon. member for Shefford (Hon. Mr. Huntington), an avowed Annexationist, came to his rescue, pledged to the interest of the very men to whom the Government of Canada had refused to give the Pacific contract, he had come to the conclusion that there was reason to fear that there were influences at work among the gentlemen opposite to substitute the interests and prosperity of the United States for those of Canada. He admitted that there were Grits opposite who were undoubtedly loyal, but he knew, at the same time, “that evil communications corrupt good manners.” The hon. member for Lambton had trampled on his precedents for the purpose of trying to occupy a seat on the treasury benches of this country. What position would that hon. gentleman be in with the hon. member for Montreal West, who wished to sever Canada from the Mother country, one side, and the hon. member for Shefford, an avowed Annexationist, on the other, and with the hon. member for Glengarry (Mr. Macdonald), whom he would distrust as much as the others, because he had said that confederation had proved a failure? The hon. member had only got to disallow one more fact, and that was intercoalition, and he would have trampled on all his former sentiments.

He (Hon. Mr. Mackenzie) said that coalition was corruption. He wanted to know whether it would be a coalition or not with the hon. member for Shefford, and Montreal West and the hon. member for Glasgow. Having exhausted all the other means of obtaining power, and having scandalous and malicious invention sent to the winds, having done all that man could to gain a majority in the country, and having failed, he knew that there was no means by which he could obtain power except by trampling under foot anti-coalition. He stood ready to say to these gentlemen, come over and he would join them. He regarded the act of gentlemen opposite as a stain upon the country, which would bring the names of their children into contempt.

He called the attention of the House to the fact that the leader of the Opposition held only one public meeting in Nova Scotia during his recent visit to the seaside. That meeting was held in New Glasgow. The chairman and secretary were avowed annexationists, and the utterances of the hon. gentleman were to the last degree

opposed to that public sentiment which favours connection with the empire. (*Loud cheers.*) He called attention to the fact that the country in all the elections that had taken place since the first publication of the Slander had favoured the Government. Two elections had been held in Nova Scotia. In Antigonish the Hon. Mr. McDonald had been re-elected by acclamation, while in Hants the electors had coalesced in favour of a Government supporter. In the recent local election in Montreal a friend of the Government had been elected, although the hon. member for Châteauguay (Hon. Mr. Holton) had declared that to elect him would be to condone the Pacific Slander. (*Loud cheers.*) He referred also to the elections in South Ontario and Huron South, in which the electors had unmistakably declared for the Government, and moreover, in Laval County, a gentleman (Mr. Ouimet) whom the *Globe* said could never be elected, had this day been returned by a majority of over 700. (*Loud cheers.*) After summing up the various points of the case, the hon. gentlemen concluded amid immense cheering, having spoken nearly four hours.

Hon. Mr. McDONALD (Pictou) then moved the adjournment of the House.

Mr. GOUDGE said he wished to say a word in reference to the remark by the last speaker with reference to his professions before the people. He might say that the Pacific Scandal charges were so enormous that it was not easy to believe them, but he stated repeatedly from the first that if there was any truth in the charges, he would not support the Government.

Hon. Mr. HUNTINGTON: It seems to be forgotten that the subject we should deal with is not the subject of the elections, but it is a great question which all parties admit is of greater consequence than any election. A question which this special Parliament has been summoned to consider, and which this country, and the nations regarding this country, expect to see dealt with in an intelligent, and above all, honest manner. (*Cheers.*)

I listened to the long speech of the hon. gentleman tonight with a sense of sympathy, in which his friends must also join, while this great question was before the House, as to whether the Prime Minister of this country, wishing money, met a great public contractor who wished for the contract, whether the one got the money and the other the contract; while this great question, which has convulsed the country, and startled the world, was under consideration, that the Government should put forth a man who spoke but lightly of the great question, and wonders over everything which has ever been written, from the Genesis to the Revelations, of the politics of this country, is a mystery.

What matters it to me whether the leader of the Opposition is illogical and absurd, and unworthy of confidence as the hon. member for Cumberland (Hon. Mr. Tupper) had represented him to be, what matters it to me and to the country whether the member for Montreal West (Hon. Mr. Young) is as vile politically as the hon. gentleman has asserted, what matters whether the member for Bruce South (Hon. Mr. Blake) is not in the opinion of the hon.

member for Cumberland a sound constitutional lawyer. We want to know, and the country wants to know the temper in which parliament is to deal with this great question (*cheers*), for I have nothing to say as to the person in question. I am quite independent of the opinion of the hon. gentleman may entertain towards me, and I did not enter upon this charge without knowing on the one hand that I was quite independent of any vengeance that could be wreaked upon me, and without being determined on the other to sorrowfully seek to wipe out this national disgrace, and I am not to be dragged now, into a discussion of all the collateral issues that may grow out of this subject, and all the matters relating to our ordinary politics. There is an old proverb that says it is dangerous to allow a thief to attract your attention while he robs you (*Great laughter*), and I will not allow the attempt to succeed, which had been made to divert public attention from the great enquiry which we are called here to consider. (*Cheers.*)

For years the leader of the Government (Hon. Sir John A. Macdonald) was never in a close place that he did not display great tact in getting out of it, and always when he came to the last possible opportunity of defending himself we had a tirade something like that which we got tonight, and it always roused more cheers and more enthusiasm than that which the hon. gentleman has been able to call forth upon this occasion. The sweet and lovely disposition which the hon. gentleman displayed in his speech was most delightful. (*Laughter.*) Why, there has been nothing like it since "Mary had a little lamb, with fleece as white as snow,"—hon. gentleman know the rest. (*Great laughter.*)

I will not attempt to follow his discourse. If he had made his followers believe that he was innocent, if he diverted their attention from the real issue, still the sad fact exists, and the duty of this House to deal with the question still remains. There was no justification in the hon. gentlemen's long speech, which could only have served the purpose to which I have alluded; nor yet was there any justification for the spirit in which he commenced the attack made upon me, when he said that I had made the charges while I knew that they were untrue, was altogether unjustifiable, as even His Excellency had stated in his despatch that I was justified in making these charges on account of the information in my possession.

Again, the hon. gentleman said, or rather, so far as he could insinuate that which he dare not say openly, that I am the paid servant of Jay Cooke. He said Jay Cooke was behind me, and that he was to give proof of that fact. I therefore expected an affidavit. The *Mail* and the *Ottawa Times* have made statements to that effect, for these papers have apparently been instructed to start the story, with a view of diverting public attention from the real question. I wonder if the hon. gentlemen will stand up in his place, and make that charge upon his responsibility as a member of Parliament. (*Hear, hear.*) I have not seen Jay Cooke for four years, and the charge is utterly and entirely false. (*Cheers.*) I was not induced by any American to profer the charges I made in this House. I did not obtain the information upon which I preceded from any of those

men, from Jay Cooke or General Cass, or any of the gentlemen connected with the Northern Pacific Railway.

On the contrary, after I stood pledged before this House and country to make good those charges, after the fearful investigation to which I was subjected by the right hon. gentleman opposite, the Prime Minister, the Northern Pacific Company turned their backs upon me, and would not even talk to me about the subject. I went to the office of the Northern Pacific Railway Company, although it was certainly upon other business; but I entered it with the hope that I might get some information upon the subject. I was not, however, allowed to remain in the office without witnesses being present, such was the anxiety to avoid the very suspicion of having given me any assistance. (*Hear, hear.*)

The charge that I have been in any way connected with the Northern Pacific people in regard either to the evidence obtained or the prosecution is without the slightest foundation from its inception to its termination. The charges that I have purchased the evidence with sums of money are equally false. When the time comes for me to explain how I fulfilled the solemn duty imposed upon me by this House of prosecuting these charges, I am willing to stand by the opinion of any gentleman whether I perpetrated any dishonourable transaction. (*Loud cheers.*)

Having said so much of the personal question, I ought to allude to the remarks of the hon. gentleman in respect to my having sent to the Governor General some of the documents on which these charges were based. I may mention that assailed as I was, and knowing that the Committee was to be of no service to me, and having made out a *prima facie* case, I felt it to be my duty to enclose the several documents to His Excellency, as well as to give them to the public in the papers. I accordingly addressed them to His Excellency with this note:—

Montreal 1st July, 1873

To His Excellency the Governor General:

My Lord,—I have the honour to enclose herewith copies of the *Montreal Herald*, weekly, of dates July 12th and July 21st, respectively, with a supplement to the *Waterloo Advertiser*, containing correspondence and affidavit of Sir Hugh Allan, letters of Mr. G.W. McMullen, the Hon. A.B. Foster, Senator, Hon. Sir Francis Hincks; and letters, drafts, and telegrams from Sir George-É. Cartier, Hon. Sir John A. Macdonald, Hon. J.J. C. Abbott; and receipts of Hon. J.L. Beaudry, Hon. Henry Starnes, and others, formerly received from Sir Hugh Allan—all relating to the Pacific Railroad Enquiry. I venture to do so in consequence of statements, confidentially made by Ministerial journal, that Parliament is to be prorogued on the 13th of August, thus postponing the prosecution of the Pacific Railroad enquiry. I venture to believe that the perusal of these papers will convince your Lordship that the honour of the Crown and the highest interest of the country alike require that Parliament should meet on the day to which it stands adjourned, and that the investigation should be prosecuted without further

hindrance or delay. I have the honour to be, my lord, your obedient and humble servant,

(Signed)

L.S. Huntington.

His Excellency returned to me the document with a very polite note, marked “private”. I did not conceive that the crime of sending these reports to His Excellency was one that need have created any alarm.

To allude to the evidence, I would refer to one or two points to which the hon. gentleman made. I refer more particularly to the prorogation and the appointment of the Commission, and my refusal to come before it. As to the alleged agreements with reference to the prorogation, I never understood myself what the conversation was, I understood, that at the last moment the Premier had spoken of the prorogation, and the Opposition leader had persisted against it. Suppose that the evidence had been taken by the Committee, and instead of its being one of complete acquittal, as the hon. gentleman had alleged, it had clearly and conclusively established that the administration of the affairs of this country was in the hands of a set of men who sold a great public contract for the purpose of carrying the elections, that there sat behind them on the benches here, twenty-seven of the men whom Sir Hugh Allan controlled, and God knows how many others had been purchased. Suppose all this had been established, are we to understand that Parliament was to wait until its regular session, and that in the meantime these twenty-seven members might be receiving offices of trust and responsibility and the affairs of the country remain in the hands of the men who had thus been proved guilty, and that all this time Parliament could not be permitted to perform its duty of purging the nation of this scandal; but aside from any supposed understanding at that time, the circumstances had entirely changed since the adjournment, and they rendered a meeting of Parliament necessary.

The hon. gentleman pretends that I was afraid to come before the Commission because of the oath. When I made these charges I said I had no personal knowledge of them, and as the hon. gentleman really believes that I would be afraid to come forward to swear to what I knew, seeing that I had no personal knowledge about the matter, I only said that I was creditably informed and I have shown that I was creditably informed. Every man who had read the evidence knows that the accusations I preferred are true. (*Cheers.*)

When the Prime Minister attacked my personal honour, my social position, and my business occupation, when with a jeer that was almost inhuman, he pointed his finger across the House at that man who was only entitled to parliamentary credence. I sat here and bore it all. A little time later I heard the right hon. Minister stand up in his place and call his God to witness when he declared that there was not a tittle or shadow of foundation for even a suspicion of my charges. On the last occasion I had not Sir Hugh's letters in my pocket. When I stood up in the House a week later, having obtained

these letters and attempted to read them, you sir, with that distinguished regard for the proprieties of the House, prevented me from doing so, and when the next day I was able to show you that I could read these papers without violating the rules of the House, the right hon. gentleman rose in his place and said I was a gentlemen. (*Loud cheers and laughter.*) Before he said I was everything that was bad and that it was an infliction for him to live in the same city with me, but when he found I had the letters I was everything that was good, in fact my modesty prevents me from reciting all the compliments which the hon. gentleman was induced to pay me, when he saw me shaking Sir Hugh's letters at him. (*Cheers.*)

Let us refer to these letters. The member for Cumberland (Hon. Mr. Tupper) has said that there are some circumstances in them. How gingerly they treat Sir Hugh! What did they do when this great man came back, and when he found the testimony in the letters contradicted everything they had asserted, and proved everything I had claimed? They never thought of subjecting him to an examination in order to prove that his letters were false. How is it that the member for Vancouver (Hon. Sir Francis Hincks), whose prudence never deters him from replying to anybody and everybody, did not write a letter to the newspapers denouncing Sir Hugh, and proving that his letters were untrue? The member for Vancouver was silent, the member for Cumberland was silent. They should have denounced him when I made these charges, but when this great steamship owner, this man of millions, who subscribed so liberally at the elections to help the great party of Union and Progress, proved these charges by his own letters, they, cowards as they were, dared not contradict them, and they dare not contradict them tonight.

They knew what might happen when rogues fall out. Sir Hugh Allan is not a rogue. I am here prepared to testify to his great ability, and to the benefit which his magnificent success has been to this country, but when he returned to Canada, they did not assail him as having written letters that were false. There is evidence in the fact that they have stood like cowards under the infliction of these letters, which were the best evidence before the Commission according to the recognized principles of law. Hon. gentlemen will admit that it was a good legal principle that no accused man should be allowed to contradict by subsequent evidence written testimony which he has made before. I call the hon. gentleman's attention to this because it is giving importance to this question, which he never dreamt of, and may compel him to give another speech of six hours instead of four, in order to show that nothing has been proved. Sir Hugh wrote these letters in the intimacy of business and while all the facts were fresh in his memory, to gentlemen on the other side of the lines, with whom he had been brought in contact by the innocent statesman and political know-nothing, the hon. member for Vancouver.

It is to be noted that these letters were written before Sir Hugh's memory become so remarkably defective as it was found to be, unfortunately, when he appeared before the Commission, and when he was compelled to acknowledge that he dare not give his evidence without first informing the Commission that he could not

trust his memory. There is another point which may apply to the hon. gentleman himself, and that is that a witness cannot make testimony in his favour. That is a principle of our law, and I think it is a correct one.

I now propose to read my charges, those charges which the hon. gentleman announced to the House that I had formally withdrawn. There is something refreshing in the spectacle of a leading member of the Ministry speaking upon a question of so much importance, standing up in his place in this House and declaring absolutely that I had formally withdrawn my charges. That would do in some places. It would do well enough in those Courts in Lower Canada known as Commissioners' Courts, where the advocates work for \$5 and the exclusive jurisdiction is \$25. (*Laughter.*) But I think it is very remarkable that on a great question of this nature a minister should make statements of this kind in the presence of two hundred members who know he does not mean a single word he says. (*Cheers.*)

I have not withdrawn my charges, Mr. Speaker, and I will read them for the benefit of the hon. gentleman. (*Cheers.*) I shall also read some evidence in order to show that the charges I made are now to become the facts. In this conviction, I stated these charges here in my place, not making any insinuations as the hon. gentleman does concerning Jay Cooke, insinuations which he dare not put to the test. (*Cheers.*) I stated then under a full sense of my responsibility, because I had then in my hands the evidence, evidence which I had not obtained from the Americans or from any of the parties referred to tonight, evidence which convinced me, in addition to what I knew before, that a monstrous political rascality had been perpetrated, and which impressed upon me the duty which lay before of taking upon myself the responsibility of making those charges. I knew that for some time, I would have to swim under water, and I could have then counted the names of the newspapers which would abuse me.

I will now read the first portion of my charge:—"That he, the said Lucius Seth Huntington, is credibly informed and believes that he can establish by satisfactory evidence, that in anticipation of the legislation of last session as to the Pacific Railway, an agreement was made between Sir Hugh Allan, acting for himself and certain other Canadian promoters, and George W. McMullen acting for certain U.S. capitalists, whereby the latter agreed to furnish all the funds necessary for the construction of the contemplated railway, and to give the former a certain percentage of interest in consideration of their interest and position, the scheme agreed upon being ostensibly that of a Canadian Company, with Sir Hugh Allan at its head."

Now, sir, if the gentlemen will turn to page 210 of the evidence taken before the Commission, they will find the names of those Americans, and amongst them were the odious names of Messrs. Jay Cooke & Co., as well as others connected with the Northern Pacific Railway, who were introduced to Sir Hugh Allan by the hon. member for Vancouver.

Hon. Sir FRANCIS HINCKS: That is not true.

Hon. Mr. HUNTINGTON referred to the evidence on support of his assertion.

Hon. Sir FRANCIS HINCKS: May I be allowed to explain. When certain gentlemen thought proper to come to the Government with a proposition for the construction of the Pacific Railway, and they stated that certain persons in the United States were prepared to build the road, the hon. gentleman has stated that I introduced those persons to Sir Hugh Allan. What I did was simply to give Sir Hugh Allan the list of names. (*Opposition cheers.*) Mr. McMullen brought to the Government all the persons who wanted to build the road.

Hon. Mr. HUNTINGTON: We will let it pass. At that time, of course, he knew nothing. I never saw such an innocent set of men. There was once a Society in the United States called the *Know Nothings*, and on one occasion when a certain person was being examined for initiation some one remarked that there was no need of examination in your case because you have got the natural proof. (*Laughter.*) The hon. gentlemen have not got the natural proof, but they see less and know less of what was transpiring around them than any other set of men I ever knew. Sometimes when I see them in this state I begin to regret that I had not an *entrée* to good society.

I will proceed to prove by the evidence the first part of the charge, that an agreement was made between Sir Hugh Allan and certain United States capitalists. The hon. gentleman then read the contract entered into between Sir Hugh Allan and his American associates, showing that they had agreed together to build the Pacific Railway, and that the Americans were to furnish all the money, the Canadians to have a percentage of the stock, and not to be obliged to pay anything. As the American connection began to leak out, Sir Hugh Allan intimated to his American friends that they would have to allow him to hold the stock for them, and then down to the 16th of September he writes to them for the return of money which he had spent in securing the contract.

I ask any hon. member in this House if he believes that Jay Cooke, of New York, was allowing Sir Hugh Allan to claim from him \$350,000 spent in the Canadian elections, if at this time he knew that he had been thrown overboard months before? Is it conceivable that the Government, if they had not had a guilty knowledge of the position of Sir Hugh Allan, and were not implicated in his transactions with the Americans—is it conceivable that they would have determined to sink or swim with him in such rascality? (*Cheers.*) It is easy for a man to declare that he will not turn his back upon his “pal”, and though our sympathies might be roused by appeals such as that we have heard tonight, and the duties of friendship, which the hon. gentleman has declared will induce him to stand by his friend in his peril, it is the duty of the Canadian people and the Canadian Parliament to deal, irrespective of these considerations, with the men charged with this great crime. The hon. gentleman might as well make an appeal for sympathy on this ground for any culprit who is brought up before the Courts. I wish to say this without offence; but, as I believe that this high crime has

been proved, I cannot use terms in describing my views that might perhaps not be offensive to gentlemen who are differently placed.

On page 205 of the evidence there is some interesting correspondence. Sir Hugh Allan, writing to General Cass, tells him how absurd he thinks is the cry about no foreign dictation, and he explains that Mr. McMullen has made a mistake in being desirous to secure the influence of inferior members of the Cabinet. As the hon. gentleman was among those who were not allowed to know what was going on, we may fairly believe that Sir Hugh Allan on the 1st of July regarded him as an inferior member of the Cabinet. (*Laughter.*) After reciting how he had managed so as to get on without these inferior members, he proceeds to say how he would secure the influence and support of Sir George-É. Cartier.

I want to call the hon. gentleman’s attention to this point. He passed an eulogy upon Sir George-É. Cartier. Sir George was the Solicitor of the Grand Trunk Railway, and being a great friend of the Grand Trunk, was opposed to the Northern Colonization Railway. That being the case, I want to ask the hon. gentleman how he came to change his mind. It is quite clear that Sir George-É. Cartier’s conversion about railway matters had something to do with Sir Hugh Allan’s liberality. Suppose Sir George-É. Cartier had gone on with his opposition to the Northern Colonization Railway, does the hon. gentleman believe that Sir Hugh Allan would have supported this excellent Government which he loved so well? (*Laughter.*) I will sit down if the hon. gentleman wishes to explain. No reply? Ah! Sir, the thing will not hold water.

Sir George-É. Cartier was opposed to the scheme and Sir Hugh Allan was opposed to Sir George-É. Cartier on that account. We all know that while Sir George did love his country, he was extremely ambitious of power; and when in his decrepitude, when disease had crept over him, and he was about to be gathered to his fathers, he went down to Montreal, and his death was probably hastened by the disturbance and annoyance, which were recited by Sir Hugh Allan with so much gusto, as the means which he used to make him bow the knee to Baal. Although we know the cruelty and inhumanity of the proceedings, we must remember that there are men who look upon all things by price; and we must remember that when Sir George-É. Cartier went down to Montreal, on the day of his affliction and adversity, when the downfall of his Government was imminent, he was seized upon by those influences and by his vile conspiracy, and he was compelled to forego his convictions, and to yield to this enormous money influence, exerted, and we are told, not by his political supporter, who was anxious to subscribe for his benefit. (*Cheers.*) The hon. gentleman should have been an actor, but all who have heard him tonight must feel that the stage upon which he should play is not here, but where fiction takes the place of fact, and misrepresentation, if it is true to life, is considered true to reality.

There is another point which deserves attention. Sir Hugh, in one of his letters, refers to the influence he had exercised, and the members of Parliament he had secured. As a mere matter of curiosity, I should like to know who are the twenty-seven. (*Cheers*

and laughter.) We have in this House a Sir Hugh Allan brigade, consisting of 27 members. We have it upon Sir Hugh Allan's authority that they are sent here to vote for the Government, and if any of the twenty-seven desire to stand up, I will sit down. (*Loud laughter.*) How delighted that brigade must have been, and how their sore toes must have been relieved, when the hon. member for Cumberland in his eloquence wandered off to talk about the Nova Scotia elections—about the member for Lambton (Hon. Mr. Mackenzie), and when he struck that hon. member below the waist; and when, bye and bye, in a few words he preceded to assert that there was no evidence at all of corruption, how these 27 must have wilted. (*Laughter.*) Why, they were the exhibits themselves of their corruption! They were 27 of the 31 who voted down the investigation which I attempted to obtain here. (*Cheers.*) Will the hon. gentleman tell us how many steamships Sir Hugh Allan has, and is there one man to each steamship? Sir Hugh was asked at the Commission how many ships he had, but they had no need to ask him how many members of Parliament he had, because they had incontestable evidence that Sir Hugh had 27 here.

Those excellent men, the Commissioners—those impartial men whose duty it was to save the honour of the Government—were well aware of having a part to play in that celebrated cartoon, in which the right hon. the Prime Minister was represented as being on the bench, in the dock, and prosecuting the criminal. It was called “When shall we three meet again.” Oh! what a hang-dog look had that criminal in the dock. (*Laughter.*) How sage, wise, dispassionate, and blind, was the judge upon the bench; and what a flippant, spruce, determined, plucky, and resolute appearance had the fellow who, as Attorney General, was prosecuting the prisoner. (*Great laughter.*) This is scarcely a caricature, but is really a living representation of what actually took place. The Commissioners who were on the bench were the creation of the right hon. gentleman himself. I see there is an impression in high places that a more distinguished dignitary appointed them, but it is quite plain that the right hon. gentleman knew the calibre of this Commission before he jeopardized his position—before he allowed them to do what his own influence would not be sufficient to control. There are times when we must speak plainly. (*Hear, hear.*)

If they had not been men so ignorant of the law that they did not know that it is the first principle of the British Constitution that when an enquiry is commenced in Parliament, and Parliament is seized of it, no inferior tribunal has a right to question a member of that Parliament for words spoken on the floor of the House. (*Cheers.*) I have no doubt that these gentleman are as much amenable to the charge of having committed a breach of the privileges of this House as the right hon. gentleman who gave the order for their appointment.

Perceiving that there is no disposition on the part of these twenty-seven to rise, Mr. Speaker, (*great laughter*) I will proceed with another part of the subject. The hon. gentleman said that I had given a list of witnesses who were not able to prove anything, and that I was only fishing for evidence. Where was I fishing? (*Laughter and*

cheers.) Was it a very improper thing on me to fish from the hon. member for Vancouver in support of these charges? The hon. gentleman taunts me with having met witnesses on the street and telling them that I did not know what they were summoned for. I may say in reference to that that I met Judge Coursol on the street one day and he said to me: “I do not owe you any good turn for what you have done for me.” I said what have I done? He replied “Sending me to Ottawa.” I rejoined, you should be grateful to me that I do not go also to cross examine you. This is a portion of the conversation which Judge Coursol did not give in his evidence. Further, he said to me: “Well what are you going to prove by me.” Does any one suppose that I was going to disclose my case to him? I answer him in the same bantering tone: “Bah, I do not know, somebody must have suggested your name to me.” (*Derisive cheers from the Government benches.*) Ah, I see that strikes home. I will get at the twenty-seven yet. (*Great laughter and cheers.*)

Can the hon. gentleman tell me how it happened that the next morning after Judge Coursol's evidence was taken the Commissioners formulated the question if he knew why Hon. Mr. Huntington summoned him? (*Cheers.*) There is one right hon. gentleman opposite who could tell about that if he pleased. (*Cheers.*) Mr. Coursol told me on his return, and he was greatly pained at the fact, because it disclosed the disgraceful relations between the Commissioners and the Government; he told me, upon his honour, that he thought that somebody must have overheard the conversation, because he had never mentioned it to anybody here. If I were to examine Mr. Coursol there are some of my twenty-seven who would sit uneasily in their seats. (*Cheers.*)

My second charge was that the Government were aware of the negotiations between Sir Hugh Allan and his American associates. I never charged the Government with any direct negotiations with the Americans. On this point my charge has been grossly misrepresented by the hon. gentleman and by the newspapers under the contract of the Government. The charge was not that the Government carried on these negotiations, but that they were aware of the negotiations being carried on by Sir Hugh, while they were treating with Sir Hugh.

The hon. gentleman here adverted to the evidence in support of this portion of the charge, showing that the Government were not only aware of these negotiations from the fact that Sir Francis had suggested the American names to Sir Hugh, but also from the fact that the correspondence between Sir Hugh and the Americans was laid before the Premier before the contract was signed.

The third and fourth charges are of more importance, and are as follows:—“That subsequently an understanding was come to between the Government, Sir Hugh Allan and Mr. Abbott, one of the members of the Honourable House of Commons of Canada, that Sir Hugh Allan and his friends should advance a large sum of money for the purpose of aiding the elections of ministers and their supporters at the ensuing general elections, and that he and his friends should receive the contract for the construction of the railway. That accordingly Sir Hugh Allan did advance a large sum

of money for the purpose mentioned, and at the solicitation and under the pressing instance of Ministers.”

On page 145 Sir Hugh Allan had something to say on this point. I read from the published evidence which is as follows:—“Q—You stated that you were a very large subscriber of money for the support of the electors. That money was subscribed about what period; can you state the time? A.—On the 30th of July, I agreed to that amount of \$60,000 or \$75,000, I think, as stated in Sir George Cartier’s letter. He mentioned the amount he required on that date. I agreed to that, and subsequently within a day or two before I left for Newfoundland, he stated that he wanted a further sum, and I sent him over the letter to put down what he wanted, and he did put it down. I agreed to that also. That was the last I ever heard of the matter until I had gone to Newfoundland, and when I was in Newfoundland, I received two telegrams, I think from Mr. Abbott, on the subject of money. These telegrams I agreed to. He telegraphed to me also with regard to the receipt from Mr. Langevin, but I did not get the telegram, and did not know of it at the time. Q.—The letter of Sir George Cartier, of the 24th of August, of which a copy is published, is in these terms:—In the absence of Sir Hugh Allan, I shall be obliged by your supplying the central Committee with a further sum of \$20,000, upon the same conditions as the amount written by me at the foot of my letter to Sir Hugh Allan, on the 30th ultimo.

(Signed)

George-É. Cartier

P.S.—Please also send Sir John Macdonald \$10,000 more on the same terms.”

After adverting to other portions of Sir Hugh’s testimony on this point, he continued. We find from this evidence that Sir Hugh wanted the contract, and we find that Sir George-É. Cartier and the Premier wanted the money to carry on the elections. We find Sir Hugh got the contract and they got the money, and they want us to believe that it is only a leveller, or a madman, or a person like myself who has not the *entrée* to good society, who would think that the leaders of the great party of Union and Progress could be guilty of such things, or that there could be any connection in these transactions. Why, the discussion of the subject to this day is an insult to the intelligence of the country. (*Loud cheers.*) I have listened to the remarks of gentlemen whose ordinary intelligence I respect, upon this subject, with extreme pain, when I have been told by those who have read this evidence,—there are some such men, but thank God they are not numerous—that they saw nothing at all embarrassing to the Government. I have begun to believe that those were disciples of the know-nothing party who are rising up amongst us, and who will compel us to protect ourselves from partisan fidelity by some other means of governing the country, or we shall go on till we reach the very depths of corruption, but the public

opinion of this country, though fearfully dealt with, is not utterly corrupt, and if the hon. gentleman should be sustained by a majority of 50, his Government could not last.

There are men on both sides of the House devoted to principle. The people of Canada have a great future before them, and no Ministry who had gone to the indecent and criminal extent that the hon. gentleman had gone, could be sustained in this country either by one party or the other. (*Loud cheers.*) The model of a public man which the right hon. Premier affords, was not, he believed, the model which should be held up to the rising generation of this country. (*Cheers.*) The right hon. gentleman has never been a man of convictions; he has never been ready to cling for a moment to any principle when he saw that to do so would imperil his position. It had been as a dexterous catcher of the balls—now on this side, and now on that—that he has maintained himself in power, and by his success he has attached to himself men like the member for Cumberland, who declare they will stick to him till the death; but now the time comes when they have to choose between fidelity to party and fidelity to country.

There is a time when questions of this kind should be looked at gravely; when the elephant display made tonight by the hon. gentleman should give way for statesmanship and fair dealing with public questions. I am not prepared to deny when the hon. gentleman says that there may be wrongs on both sides of the House. I say that the possession of power under our constitutional system is a danger which can only be checked, and the system can only be worked, where there are two parties, the one acting as a check upon the other. If you continue a party in power, and allow it to use the patronage of the country to maintain itself, the Government will be almost certain to become impure.

If we could roll back the history of the Conservative party for the last ten years, it would be found to have been aided by contractors to an extent little dreamed of, but now we have to deal with a greater evil, and I know there are honest men on both sides of the House, who will rise above party, men who appreciate the peril in which the country stands, and who will not allow a crime more fearful than any ever committed under British institutions to be condoned because Ministers make eloquent appeals.

The hon. gentleman concluded a two hour speech by reading extracts from Macaulay’s account of the impeachment and disgrace of Leeds in the reign of William the Third. He sketched the parallel between the corruption in this case and the present case, and said the punishment and disgrace of Leeds was suggestive of the result of the present struggle. He resumed his seat amid loud cheers from the Opposition.

Hon. Sir FRANCIS HINCKS moved the adjournment, and the House adjourned at 1.20 a.m.

HOUSE OF COMMONS

Tuesday, October 28, 1873

The SPEAKER took the chair at 3.15 p.m.

Prayers

ELECTION PETITIONS

The SPEAKER made an announcement to the House concerning election petitions, the purport of which was inaudible in the gallery.

On the motion for the resumption of the adjourned debate on the Address,

Mr. MILLS presented the report of the Select Committee on the election petition for the electoral district of Jacques-Cartier, announcing that the Committee had met and adjourned to the following day.

* * *

THE ADDRESS

The debate on the address was then resumed.

Hon. Sir FRANCIS HINCKS, on rising, said that he would not have attempted to address the House so early in the debate had it not been for the attacks made upon him personally by the honourable and learned member for Shefford (Hon. Mr. Huntington). He would endeavour to devote as short a time as possible to everything relating to personal matters, and to occupy the very short time that he intended to keep the House with the important subject which was at issue between the Government and the Opposition.

The hon. member for Shefford had taken a great number of occasions not only last evening but on several previous occasions to attack him (Hon. Sir Francis Hincks) personally. He held in his hand an extract from a speech delivered by that hon. gentleman in Montreal very soon after the publication of those documents which he thought he might safely say were published at the instigation of the hon. gentleman. (*Hear, hear.*) He would take the particular charges which the hon. gentleman made in order. First he stated at the meeting in Montreal, "We know now why it was that Hon. Sir Francis Hincks gave up the high position which he held under the Crown to come to this country and to take a position in the government. He came in time to enter into the Pacific Railway negotiations," et cetera. The hon. gentleman spoke last evening very much in the same terms. He said that "he (Hon. Sir Francis Hincks) had descended from his position, seeing the Pacific Railway

contract looming in the distance," and furthermore, he said at a late period of his remarks that "he (Hon. Sir Francis Hincks) had been seduced from the Liberal ranks by the prospect of a Pacific Railway contract."

Now he would first address himself to this branch of the hon. gentleman's charges. In the first place it was most unfortunate for the hon. gentleman that when he (Hon. Sir Francis Hincks) accepted the office, so far from there being any idea of a Pacific Railway contract, the idea of constructing the railway had not been started, and he appealed to hon. members from British Columbia to bear him out in stating that so far from there being then any prospect of union with British Columbia, everything seemed to point in a contrary direction. Such was the state of things when he had accepted office.

The hon. gentleman had on two or three occasions talked about his (Hon. Sir Francis Hincks) descending from the position that he occupied. It was not the case that he gave up any position whatever. He had had the honour, having been a Minister of the Crown in this country, without any application on his part to be appointed to the position of governor of one of her Majesty's colonies. Having held that office to the satisfaction of his superiors for some time, he was offered another office, his terms of office having expired. He had, moreover, held office for more than twelve months after the expiration of the ordinary duration of the term.

Now, the hon. gentleman talked about his (Hon. Sir Francis Hincks) having descended from his position. Well, it was very fitting that the hon. gentleman should endeavour to degrade the position of a member of the Government and Privy Council of this country. (*Hear, hear.*) He (Hon. Sir Francis Hincks) was one who did not think he had descended in the slightest degree in accepting an office in the Government of the Dominion of Canada. He asked him if when within the last two or three weeks they had seen a distinguished late Governor General of Canada, he referred to Lord Lisgar, accepting the position of Chairman of a Commission in England he was descending from his position; or if Lord Monck descended from his position in becoming Chairman of a Commission upon the Irish Church? He would ask whether these most distinguished noblemen, who had so favourably filled their offices in this country, had descended from their positions in thus becoming Chairmen of Commissions. Or whether another of distinguished nobleman and statesman, who was formerly a member of the English Cabinet, were to return to England and take a similar office in the Cabinet he would be considered as descending from his position? He (Hon. Sir Francis Hincks) would not for one moment admit that in any way by accepting the office which he had held in the Government of the Dominion of Canada

he had descended from any office which he had hitherto held. (*Cheers.*)

But the hon. gentleman seceded from the Liberal ranks. Well, he should have hardly thought it necessary to have referred to this subject at all were it not for the fact that there were members sitting on the floor of the House from Nova Scotia, Prince Edward Island—(*Cheers*)—New Brunswick, British Columbia, and Manitoba, who had no opportunity of knowing the circumstances under which that succession took place. But the hon. gentleman was all at fault when he said that Sir Francis was seduced by any reference to a Pacific Railway contract to desert from the Liberal ranks.

He would tell the hon. gentleman that nearly twenty years ago, when he had the honour of holding the position of leader of a Liberal Government in this House, and when, by an adverse vote which was an equivalent to a vote of want of confidence, he had been forced to resign his position, and had joined a Coalition Government which seemed to be the only practicable arrangement under the then existing circumstances he had acceded, and he was then as firm a supporter of his right hon. friend, the first minister, who was, in 1854, a somewhat prominent member of the Government, as he was today.

That was going back to twenty years ago, and no man could charge him with having done one single thing against, or of having put himself in any way in opposition, to his right hon. friend from that day to this. (*Cheers.*) He had always been a member of the Liberal Party. He had always, since he had taken part in public affairs, been a member of what he considered the Liberal Party. (*Cheers and laughter.*) In 1854, the gentlemen, who were today represented by the hon. gentlemen who sat opposite, thought proper to separate themselves from the Liberal Party.

When he came back to Parliament in 1854, after the general elections, he had the honour to have the confidence of the largest Party in the House of Assembly, but he was not able to contend with the united forces of the then Conservative Party, of which the right Hon. the Premier (Hon. Sir John A. Macdonald) was a prominent member, and the representatives of what was known as the Grit Party. He did not use this term disrespectfully. The Party has been formed at the time he was speaking of, and they themselves had originated the title. They took the name themselves, and he hoped they would long continue to keep it. (*Cheers.*) These gentlemen thought proper to separate themselves from him and his Party and join with the Conservatives, with a view to overthrow the Government of which he (Hon. Sir Francis Hincks) was the head. They made all their arrangements, and were right in thinking that they could overthrow it, for they had a majority; but there was this amusing circumstance, the Clear Grits were perfectly certain that they could form a Government, and they had distributed all their offices just as they had all been distributed today. His hon. friend from Châteauguay (Hon. Mr. Holton) was smiling. Well, his hon. friend who sat opposite him with the other members from the old Province of Lower Canada, had nothing at all to do with this, for

they were to have been left out in the cold. (*Laughter.*) The Clear Grits had settled it all, and they relied on getting Lower Canada support; but while they were distributing the offices they quarrelled over the spoils—(*laughter*)—and he was not aware that there would not be some quarrelling over the spoils if hon. gentlemen now had their way. (*Great laughter.*)

It was under these circumstances that he had separated from the Reformers of the Province of Ontario, and therefore he hurled back on the hon. member the charge which he had made that he, being a member of the Liberal Party, was seduced by the promise of a Pacific Railway contract. The hon. gentleman endeavoured last night to hold himself as a martyr. He told them over and over again, in the course of his speech, that he perfectly knew that when he undertook this attack upon the Government what the consequences to him would be—that he would be victimized, that is would be denounced by the Press and by the first Minister and so on. The hon. gentleman ought to recollect the manner in which he had treated others instead of talking about the manner in which he had been assailed.

He (Hon. Sir Francis Hincks) could not call to mind in the course of his reading, or experience, any public man occupying the position of his right hon. friend, the first Minister who had been treated in the manner that he had been (*Cheers*). He had never been able to trace, and as a resident in Montreal he had taken some pains to trace, for he was horrified at the reports which were current, he had never been able to trace beyond the hon. member for Shefford (Hon. Mr. Huntington) that horrible report which was circulated that his right hon. friend had committed suicide. (*Cheers and hisses.*) With regard to that and to the other monstrous proceedings that had taken place if the hon. gentleman could show any light upon the subject so as to drag the real criminal before the public he should be very glad. (*Cheers and hisses.*)

With regard to the minor attacks which had been made upon him, the hon. gentleman in his speech in Montreal said, “when they asked for an adjournment until these gentlemen from England came over, I knew that if Hon. Sir Francis Hincks could testify as they had declared, the evidence in my possession was all wrong, but the investigation did not take place, and Sir Francis did not give the evidence promised. I would have liked to have seen Sir Francis in the witness box, and even Sir Hugh.”

The hon. gentleman had taunted him with an unwillingness to go into the witness box. He could assure him that on the first day there was an opportunity for him to go into the box he was ready. He was anxious to give his evidence in any way it could be given; more anxious to give it upon oath than in any other way.

In addressing hon. gentlemen who were in possession of the report of the Commission and had the sworn evidence of himself and Sir Hugh Allan, the only other party concerned, he did not think it necessary to dwell upon the subject of the question of money. He could say most conscientiously that in every proceeding connected with the Pacific Railway he acted conscientiously, having regard to

the best interests of the country. They might differ as to what were the best interests of the country. At the time, and during a considerable portion of 1871, it was practically of no importance what the opinions of any individual member of the Government were, because the Government had not determined upon any policy whatever, and were determined not to do anything until they had an opportunity of submitting the whole question to Parliament and receiving its sanction.

It has been supposed by many that he had some feeling in favour of American contractors being entrusted with the Pacific Railway. Nothing could be more unfounded, or unjust to him. He admitted that he did not take the strong view that some did in regard to the exclusion of persons from the United States, but when the proposition was first made to the Government early in July 1871, and during the whole course of that year subsequently, there was no indication that there was any possibility of organizing a company in Canada to carry out the Pacific Railway project. It was perfectly impossible to suppose that Ministers of the Crown were to be denied altogether from holding private conversations with individuals about mere current events. (*Hear, hear.*) It was perfectly preposterous. At no time did he express any opinion whatever that could be considered, or believed by any one to whom he spoke on the subject of the Pacific Railway, to be the opinion of the Government. He spoke simply as a private individual, and had no idea of compromising the government in any way.

The circumstances under which he first spoke to Sir Hugh Allan had been pretty well shown in the papers which were before Parliament. In July, 1871, certain American gentlemen, of whom Mr. McMullen was one, and Mr. Smith, of Chicago, was another, came to the Government with a proposition to build the railroad, saying that certain gentlemen, of whom they gave a list, were prepared to subscribe money for that purpose. They were treated of course with proper courtesy, but were told that the Government were not in a position to enter into any negotiations upon the subject.

Almost immediately afterwards he (Hon. Sir Francis Hincks) stated in private conversation his regret that there were no Canadian names of influence in this project, and in consequence the correspondence which was before the public took place between him and Mr. Beaty, who was the authorised agent of these parties, and who informed him that communications had already taken place between Sir Hugh Allan and other persons in Montreal, and that he intended to go to Montreal in a few days and see Sir Hugh Allan on the subject. Under these circumstances he felt it only just and proper to Sir Hugh Allan to give him a list of names which the hon. gentleman had spoken of as an introduction.

Sir Hugh Allan, it appeared, entered into negotiations, and he came in October to the Government with another proposition from the same parties with the addition of his own name. They received exactly the same reply as before, that the Government were not prepared to enter into any negotiations on the subject.

The next charge made against him, for he seemed to be the scapegoat in the matter, was that in December he told Sir Hugh Allan, who had been to England in the meantime, that the Government to avoid blame would advertise for tenders. In point of fact he never agreed to advertise for tenders, and it was a mere idea of his own, that as they had no proposition from any other parties in Canada, it might be desirable to advertise for tenders to find out if any other parties were prepared to come forward. It amounted to nothing, but he did not shrink from the responsibility of having said it. Something of the kind might perhaps have been adopted; but another company was organized in Ontario which put the thing on an entirely different footing.

Before the session of 1872 other parties had given notice of their intention to apply for a charter, and it was perfectly apparent that there was a very strong opposition to the American element. He had never been in favour of the American element, except that he was very strongly of opinion, and he had not changed that opinion, that it was most expedient that there should be two parallel lines of railway across the continent from the longitude of Fort Garry, or Pembina as the case might be, to the Pacific Ocean. (*Hear, hear.*)

He was very strongly of the opinion that by mutual concession and co-operation great economy in money might be obtained in the construction of the railroad, but he never had any other idea except that the railroad would be run through British territory, and he never had any doubt that the Government of Canada would take precautions to secure the Company against any of the evils which had been so harped on by gentlemen of the Opposition.

The hon. member for Shefford (Hon. Mr. Huntington) had endeavoured to induce the House to think there was a very great dereliction of duty on the part of the Government in not having brought the contract before the House. He (Hon. Sir Francis Hincks) could not conceive how it was possible for the Government to invite the concurrence and co-operation of Parliament in a better way than the very way which they adopted, in the session of 1872, when they proposed the legislation in regard to the Pacific Railway Company. They proposed the exact amount of the limit of the subsidy in money and land; they defined the terms upon which the land and the money was to be got; they took every possible precaution that they considered necessary, and it was for Parliament, if they did not consider that these conditions were sufficiently stringent, to endeavour to amend them, and he was not aware that in all their opposition to the Pacific Railway charter hon. gentlemen went into questions of detail.

He might remark, *en passant*, that a very eminent writer who had taken very strong ground against the Government, could not see that there was any objection to the charter. In the Act we find expressly defined what the capital of the company should be. We have the proviso about the blocks of land; the proportions in which they should be granted; the subsidy of money, and the manner of payment, and every other particular possible. All this was submitted to Parliament, and then came the charter to the company. Hon. gentlemen say that most exorbitant grants have been made to the

company, but he would ask in what single respect the provisions of the Act have been exceeded. The only object was to induce Canadians to come forward, take up the stock and build the road, and the only difficulty was that Canadians could not be induced to do so.

And this was one of the reasons which led him to favour Americans being allowed to come in, because he did not believe, and he did not now believe, that it was possible to get a paid-up subscription of a million dollars within Canada, and he was persuaded that if Americans had been admitted the Government could have taken good care that the interests of Canada were perfectly protected.

He then came to the points put forward by the member for Shefford in the amendment moved. First to the proceedings which were taken with reference to the charges against the Government, and gentlemen opposite have been very careful to avoid speaking of the very extraordinary course followed by them. If the charges were to be referred to a tribunal, ought there not to have been something like fair play and no striking below the belt. Was it not striking below the belt when the member for Shefford, or his friends, caused to be published in the newspapers the correspondence which was afterwards submitted to the Commission? (*Cheers.*)

He asked was it consistent with British fair play and justice that two of the witnesses should publish narratives of what they knew—(*cheers*)—and to supplement those narrative by stolen documents—(*loud cheers*)—documents obtained under the most disgraceful circumstances—(*renewed cheers*)—and which had no real bearing whatever on the charges; and were the Government then to sit with their hands tied and make no effort to right themselves?

There were parties interested in the proceedings of the Commission, who previously had heard nothing whatever of the matter. Among them he might mention the Minister of Finance and the Minister of Customs, who, he was perfectly certain, had never heard of a single thing connected with the matter, and, he asked, was it not due to the Governor General, was it not due to the Ministers that an inquiry should be made as early as possible?

Hon. Mr. HUNTINGTON: And outside of Parliament.

Hon. Sir FRANCIS HINCKS: Outside of Parliament! Outside of Parliament! I am astonished at the audacity of the hon. gentleman in making such a remark. Why was the McMullen correspondence not outside of Parliament? (*Loud cheering.*) All that the hon. member has advanced has been outside of Parliament, and in the most perfect violation of the privileges of Parliament. (*Cheers.*) The hon. gentleman was prevented by your decision Mr. Speaker, supported by the unanimous voice of the House from taking what would have been a most unjust course, and notwithstanding that decision he published the correspondence to which I referred, contrary to the privileges of Parliament.

But the publication was not attended with the expected results; but, on the contrary, they found the entire feeling of the country was against them. (*Cheers.*) So much was this the case that they found it necessary to supplement the first publication, that of the Allan correspondence by the McMullen and Foster letters, because they found that there was not a single thing in the Allan correspondence that in the slightest degree affected the Government.

Last night the member for Shefford (Hon. Mr. Huntington) taunted me and my right hon. friend, the First Minister, with cowardice because we did not reply to the publication of the Allan correspondence. I was rather staggered by such a charge, and I began to think what that could have been to call for any answer from me, but on reading it today very carefully I can see nothing which called for any remark from me. Indeed, I do not think my name was mentioned.

Hon. Mr. HUNTINGTON said the hon. gentleman was frequently mentioned as having called on Sir Hugh; as having spoken of advertising for tenders to avoid blame, and in other ways, and that what he (Hon. Mr. Huntington) had said was that it was singular that the Government had not denied the statements in any way that would attribute falsehood to Sir Hugh Allan.

Hon. Sir FRANCIS HINCKS: I can only say that there was nothing stated to which I would condescend for one moment to reply, and if no Minister is ever charged with having said anything worse than was attributed to me, he will be very safe indeed. The hon. member for Shefford last night read us his charges. First of all, he spoke of negotiations between Sir Hugh and the Americans, and he spoke on this at great length. I want to know, however, what charge was there against the Government, supposing every single word said on that point was true? What had the Government to do with Sir Hugh's negotiations with the Americans, or with any one else.

The hon. member then asserted that the first charge was proved, but there was no charge at all. Then came the charge that the Government were perfectly aware of the existence of these negotiations. I do not quite understand this, but if the hon. gentleman means to say that the Government were cognisant of all that took place between Sir Hugh and the Americans, there is not a shadow of foundation of truth in the assertion. The Government were not aware of anything whatever about the negotiations. All they knew was that in July Mr. McMullen, attended by Mr. Waddington and Mr. Kersteman, waited on them, and came again in October, with Sir Hugh Allan, and on both occasions he got very much the same answer.

Then came the charge that, in consideration of a large sum of money to be paid by Sir Hugh, an understanding was arrived at between him and the Government, and I call the attention of the House, and every member who heard the hon. gentleman will bear me out to the fact that when he came to the point of the understanding he had very little to say. (*Cheers.*) He said a great

deal about money spent at elections, but if that was his charge, if he had simply said he charged the Government with receiving money from Sir Hugh Allan to be expended at the elections, he would have received a very simple answer. If, however, it had been thought desirable to inquire into that subject the Government would have appealed to the House that such inquiry should extend to both sides of the House. (*Loud cheers.*)

We heard a good deal last night from the hon. gentlemen as to Sir Hugh's claim on twenty-one members, but I think I could bring quite as large a brigade from the opposite side of the House; and if I were to give a list of instances in which money was notoriously spent on elections, and there are many of them, the very first name I should give would be that of the hon. member for Shefford (Hon. Mr. Huntington) himself (*cheers*). The next would be Montreal East (Mr. Jetté); then Quebec Centre (Hon. Mr. Cauchon); then L'Islet (Mr. Casgrain) and many more from Quebec. (*Loud cheers.*) In Ontario, I should like to appeal to the hon. member for Norfolk North (Mr. Charlton) whether he knows anything of money spent at elections; and the member for Simcoe North (Mr. Cook); for Toronto Centre (Mr. Wilkes). I should like to ask the member for Brockville (Mr. Buell) what he knows; the member for Leeds North (Mr. Jones) for Prince Edward (Mr. Ross), for Durham East (Mr. Ross), for Huron South (Mr. Cameron) for Grey South (Mr. Landerkin), and I am sorry to add on grounds personal to myself, the member for Brant (Mr. Paterson). Then I would ask the member for Welland (Mr. Thomson) what he knows about the purity of elections, and I think I may go to the North Riding of Wellington (Mr. Higinbotham) and York West (Mr. Blain).

Then, there is the very amusing instance which has called forth a communication in an Ottawa paper today, in which the unsuccessful candidate for the County of Russell at the last election, a gentleman for whom I entertain the highest respect, gives an unequivocal denial to the statement that he received a sum of \$2,000 from the member for Lambton (Hon. Mr. Mackenzie) himself. I am bound to say I have heard a great deal on the subject of that \$2,000 but I never heard of it in the way it has been contradicted. I never before heard the name of the hon. member for Lambton connected with it. (*Loud and repeated cheering at the mention of each constituency.*)

The way he had heard the story told, and he would like to have it contradicted, was that the gentleman referred to, Mr. Malcolm Cameron, had been told if he raised a certain sum of money himself he should have \$2,000 from the election fund. He did succeed in raising that sum of money and he applied, as he (Hon. Sir Francis Hincks) had heard, to George Brown for \$2,000, and the answer he had got was that there was so much money wanted in the west that they could not give it to the County of Russell, and he had heard Mr. Cameron was very much chagrined at the answer. He (Hon. Sir Francis Hincks) had no doubt money was much wanted in the west, and that it was used. In language of Sir Robert Peel, he considered the Opposition as "an organized hypocrisy."

The member for Durham West (Hon. Mr. Wood), it had been said, when a member of the Ontario Government, had tried to use

an influence over the members of the Government. He would ask that hon. gentleman what he thought of that. He (Hon. Sir Francis Hincks) when he, as Minister of Finance, had dealings with that gentleman in the matter of the settlement of a debt, had never found him try to use undue influence over his colleagues. He would not detain the House much longer, he had endeavoured to show that there was no foundation whatever in the charges, and he would say most distinctly that if the gentlemen opposite could show that Sir Hugh Allan had ever received any consideration he was prepared to abandon the whole case.

But what was the case? The sworn testimony was directly against the accusers. It was the evidence of facts. It must be borne in mind that at that time the Government were most anxious to get every Canadian capitalist connected with the railway. Was there ever any proposition to ignore Sir Hugh Allan? Mr. Macpherson had declared in his evidence that the very reason that the Inter-oceanic Company was formed was to prevent the Americans having anything to do with the scheme.

The question with the Government was how the two companies, the Pacific and the Inter-oceanic, should be amalgamated, and they had tried in various ways to bring this about, and it was at the same time true that the influence of the Government had been promised to secure to Sir Hugh the Presidency. But this whole proposition had ended in nothing, simply because the amalgamation never took place, and when the new Company was formed, the Government never interfered in the election of the President. (*Applause.*)

Hon. Mr. HUNTINGTON wished to make an explanation. The hon. member for Vancouver (Hon. Sir Francis Hincks) had stated in effect that he (Hon. Mr. Huntington) organized the melancholy story that the Right Hon. Premier had committed suicide. He wished to state that it was utterly false, and without any foundation whatever. He was glad to learn with as much pleasure as any man that the report was not true.

He regretted extremely that this debate had been so lowered, that a man in the position of the hon. gentleman would be glad to know that one of his opponents could have circulated, for such base purposes as he insinuated, that story.

Hon. Mr. McDONALD (Pictou) desired, before going into the main question before the House, to refer to an observation made by the hon. member for Hants (Mr. Goudge) last evening, that that hon. gentleman did not undertake to deny the declaration of the member for Cumberland (Hon. Mr. Tupper) that that hon. gentleman had pledged himself to give the Government of this country a fair and manly support. These were words he had used in his (Mr. McDonald's) presence, and those words were the cause of his return to this House. If he had not made that pledge the gentleman who had opposed him in that county would stand here giving to the Premier his support. He could well understand the peculiar position of that hon. gentleman and his tender conscience. Perhaps therefore he should not be too severe on the proposed action of that gentleman. It was not many years (in 1867) since,

\$6,700 were drawn against the law from the Treasury of the Local Government to help in endeavouring to get his return to this House. After that he thought the country would understand at any rate one part of the organized hypocrisy.

He would now refer to the great and important question which the House had to decide, a question which the country would have to decide, a charge brought in a partisan spirit. If this resolution carried, the people of the country would not be satisfied and he could tell the House that the people of Nova Scotia would not accept the verdict of a partisan House. The people of this country, he humbly conceived, thought too much of their public men, were too jealous of the future that lay before them, too jealous of the pride of their ancestry to allow a vote, founded on partisan jealousy and rage, to allow such a vote as that to consign the right hon. gentleman the Premier to political extinction. He did not dread such a verdict even in this House.

Hon. Mr. BLAKE: Hear, hear.

Hon. Mr. McDONALD (Pictou): The hon. member for Bruce South says "hear, hear." It ill becomes him to make use of an expression to indicate a delight in the position which he occupies. He thought that gentleman would not stand before this country as the representative of purity and of everything pure, a position that he had endeavoured to occupy before. He would not stand as the advocate of purity, as his Party tried to make him, when he had finished. What was this important charge, and from where did it come? He would undertake to say even supporters of the leaders of the Opposition would read with intense disappointment, speeches of the men who were endeavouring to sustain this charge upon evidence so base and groundless.

What was that charge? One which if sustained would consign and justly consign the leader of the Government and his colleagues to not only personal dishonour, but would destroy the work of a life time—would consign the hon. gentleman who had done more for Canadian interests than, as had been said, all the Grits of Upper Canada—one who had given us a nation, of which all are proud.

We occupied a position in this country of which all alike, Conservatives and Reformers, are proud. To whom did we owe that greatness? It was to the man and to the man alone whom the gentlemen on the other side were now endeavouring to hound to death, not only to political death, but to personal dishonour. If this vote should prevail in this House not only would the country lose the right hon. gentleman, but it would lose the policy which he carried out, and the result would be that the policy of this country would be reversed. He dared say the right hon. gentleman himself would not be unwilling to retire tomorrow, and in that retirement reap the reward which was due to him. If that policy was complete, but that policy was not complete.

He would like to ask what this union would be without the great Pacific road. He would like to ask the members from British Columbia and from Manitoba, and all those who represented the

Northwest interest how long they would remain in the Dominion if the policy of the Pacific Railway was abandoned? They could not be expected to remain in the Dominion.

The other day the honourable leader of the Opposition (Hon. Mr. Mackenzie) came down to his (Hon. Mr. McDonald's) county to indoctrinate the people of Pictou with the principles which he held. The Pacific Railway was one of the questions discussed, and he would like the hon. gentlemen who sustained the member for Lambton, and who, by sustaining him, would reverse a policy which their personal honours were bound to carry out (*cheers*), to have heard the remarks on that occasion. He hoped the leader of the Opposition had nothing to complain of in regard to the courtesy with which he was received in Pictou. In the discussion on this subject, the hon. gentleman announced his policy of government was one which he had always opposed (*hear, hear*), that it was one which was beyond the means of the country; that he had opposed it when the British Columbia resolutions were brought in, and he had opposed the passage of the bills on which the charter was founded, and said he "my policy is this—I would give one million a year, or as much more as the country could afford to give." He believed the hon. gentleman would say that these were as near as possible the words he used.

Hon. Mr. MACKENZIE: The hon. gentleman endeavours to fasten upon me—

Hon. Mr. McDONALD (Pictou): No. Say whether I am right or not.

Hon. Mr. MACKENZIE: I rise at the hon. gentleman's invitation. If he will not allow me I will sit down.

Hon. Mr. McDONALD (Pictou): Well, I prefer not. (*Opposition cheers.*) The hon. gentlemen opposite were thankful for small mercies. (*Laughter.*) He was willing to allow the hon. member to correct him if he had made a misstatement of fact, or if he had not put the words he used in correct form; but if he had he would prefer him to correct the argument when he closed the debate. (*Cheers.*) In the meantime he would read the words reported by the hon. gentleman's own reporter.

Hon. Mr. MACKENZIE: My own reporter?

Hon. Mr. McDONALD (Pictou): The reporter of his friends. The reporter who went down from Halifax to report the hon. gentleman's speech, and the reporter who did not report his (Hon. Mr. McDonald's) speech. (*Cheers and laughter.*) His (Hon. Mr. McDonald's) remarks were given thus—"But how was Hon. Mr. Mackenzie going to get there?" He proposed to construct a wagon road, and he was willing to spend one million dollars per annum upon the construction of the railway. It was intimated that the road would cost one hundred and fifty millions, so that in one hundred and fifty years our great-grandchildren might see its completion. (*Cheers.*)

That was his (Hon. Mr. McDonald's) observation, and he invited correction. He said, "Am I representing matters unfairly?" The member for Lambton said, "Yes, very unfairly." (*Opposition cheers.*) What I said was "We were willing to accept the terms proposed by the Legislature of British Columbia to construct the road giving them access to our territories and us access to theirs, and so forwarding emigration; and to expend not less than one million dollars annually in the construction of the railway, and we might expend as much more as we pleased." (*Opposition cheers.*) He (Hon. Mr. McDonald) asked him then and he asked him now how much more he would please to expend, and the hon. gentleman would not condescend to give him a reply. He left this policy of the Opposition to the consideration of the country. He hoped the leader of the Opposition and the hon. gentleman who sat beside him (Hon. Mr. Blake) who was in accord with him on that policy would give the House the policy of the Party, who were now seeking to turn out the Government in relation to that great and important work.

Hon. Mr. BLAKE: We would not see the contract. (*Opposition cheers.*)

Hon. Mr. McDONALD (Pictou) said he would assert that the man who would declare in the face of the evidence that Hon. Sir John A. Macdonald and Sir George-É. Cartier sold that contract, or that there was a tittle of truth either legally or morally (*Opposition howls*) in that charge would say and do anything. (*Loud cheers.*) He had a county to appeal to, the character and metal of which the leader of the Opposition knew. His constituents were watching with avidity every expression he used and every vote he gave on this subject. They were a body of men than whom there were none in the Dominion more ready to call their representative to account, and he was ready tomorrow to go into that county (*cheers*) with the hon. member for Bruce South (Hon. Mr. Blake), the ablest gentleman the Opposition had in their ranks, and place the issue of this contest upon the answer returned by the County of Pictou. (*Loud cheers.*)

The great and important view of gentlemen opposite was to destroy the honourable leader of the Government, and through that to come into power. He did not know that in the history of the world, in any country where Constitutional Government was known, there had ever been a more ruthless, relentless, unfeeling and shameful effort to come into power over the ruin of a personal reputation. (*Cheers.*) He (Hon. Mr. McDonald) would not, and gentlemen around him would not, care to see the right hon. the First Minister, looking sad over any political question; there was not a man in this House who could go home with a graceful conscience and a sound breast, and sleep over the fact. (*Opposition laughter.*) He knew he was speaking to some people who could feel nothing. (*Cheers.*) There should not be a man of common feeling in this House, or in this country, who could reflect in peace that he by his vote and voice had not only overturned the Government, which might happen any day, but had crushed a great and high reputation to the ground. (*Cheers.*) He did not envy the man who could do that, and he did not believe that the gentlemen who represented the magnanimous people of this country could be found to give a

majority against him. Who would, under the circumstances, and with the evidence before them, be guilty of such an act?

He had said that Hon. Sir John A. Macdonald was persecuted with rancour heretofore unknown. He should like to know where in the history of any country with representative institutions, a similar case could be found. If hon. gentlemen went back as they had to go back for constitutional precedents in discussing the questions of unconstitutionality which had arisen in this debate, he doubted if they could find even in the stern relentless time of 300 years ago, a persecution more ruthless than that which had been witnessed during the last year in this country. Had it been conducted according to principles of law or of common decency, or of common justice, according to the principles of that manly fair play which in every British Parliament ought to govern men who were worthy to represent British people? No. That was not what we had seen. On the contrary, we had seen everything that man ought to be ashamed of; conduct which ought to make every man who pretended to be a gentleman and to love his country, hang his head with shame. (*Hear, hear.*)

Let them look at the evidence. They had got some evidence, not sworn evidence upon which Parliament was asked to consign to dishonour, and to drive from power to foremost men of Canada. The written testimony of a man who was proved a perjurer by the sworn testimony of no less than eight or nine of the first men of this country—(*cheers*)—and as if to supplement the character of his testimony, they had men breaking into private recesses of a gentleman's office, and stealing documents necessary to prove their case. (*Cheers.*)

He should like to know how it was that Mr. G.W. McMullen and Mr. Norris, had the same sense of Parliamentary privilege as the hon. gentleman himself possessed. They were both absent from the Commission. Was the person who stole the letters from Mr. Abbott's office as sensitive to Parliamentary privilege as the member for Shefford (Hon. Mr. Huntington)? Was he a trained statesman? Where did he learn his constitutional law? Was Mr. G.W. McMullen so sensitive to the dignity of this Parliament that he would not come because it was undignified to have a Royal Commission? Where did he learn his constitutional law? But not content with getting evidence of that character in that way, by which they endeavoured to overwhelm with guilt the right hon. gentleman, they went further, and feeling that even that was breaking down in the country—that their testimony was falling like dust at their feet—what did they do next? Some of the first men in their ranks took it upon them to open a private letter of the right hon. gentleman. (*Cheers.*)

The men and the Party who came into this House with that black stain of dishonour in their face were not men that the people of the Province of Canada would like to govern them. (*Cheers.*) In England wherever it was known, in the United States wherever it was read, the men who were guilty of that foul act of treachery and dishonour, would bring disgrace upon the country if they occupied

the position of our foremost men. (*Cheers.*) High as the honour of the member for Bruce (Hon. Mr. Blake), great as was his ability and high as his eloquence ranked above his (Hon. Mr. McDonald's) and that of almost every other man in this House, yet if that hon. gentleman sat in that seat reaping the reward of that dishonour, the people of this country would consider him as black as his colleagues, and neither his integrity, his ability, nor his eloquence would be able to cleanse stains with which that conduct had sullied them.

As far as the Party that stood behind him was concerned, he believed he could say for its members, as he could for himself, that if only a political principle were at stake they would go in Opposition with the best grace in the world. They had nothing to lose and he might say for himself that he had no expectations to fulfil. He had neither the hope of political office, nor pecuniary reward to govern his conduct. Highly as he might value political distinction, highly as he might value the reward which properly flowed from meritorious effort, he would not for the highest distinction in this country sit beside a man who a short time ago called him a convicted felon. (*Cheers.*) He had given them generally the charge, and perhaps they would allow him to remark upon the peculiar character of the speech of the hon. member for Shefford (Hon. Mr. Huntington) whom he might call prosecuting officer. He made his statement in a mellifluous tone of voice, and a sweet flowing stream of eloquent words which no man in the House was more capable of using; but so far as logic or reasoning, or analysis of testimony was concerned not a particle fell from him. The leader of the Opposition (Hon. Mr. Mackenzie) he need not say was even worse in that respect. (*Hear, hear and laughter.*)

The people of this country, and he was liable to censure for the same ignorance or want of apprehension, had been under the impression that, and he ventured to say were still under the impression, an impression created by the press supporting the Opposition, that the charge of the hon. gentleman was that the Government, or the leaders of the Government of this country, for corrupt motives and for money to buy the electors of the country, sold the Pacific charter to Sir Hugh Allan, who at the time was in connection with American capitalists, and that he bought the road for the purpose of transferring it to American interests. (*Hear, hear.*) That was the character of the charge. The hon. member for Shefford when brought to book by the hon. member for Cumberland (Hon. Mr. Tupper) last night denied that that was his charge, turned his back and said he never did charge Sir Hugh Allan with being connected with the Americans in the construction of that road.

Mr. MILLS: No, never.

Hon. Mr. McDONALD (Pictou) said he thought that the hon. member for Shefford was in his place and no other member ought to interrupt him unless he was certain that he was right. The fact was that the hon. member for Shefford had shirked the charge. He would turn the attention of the House now to one or two

circumstances in proof of his statement that the Opposition had pushed this charge home ungracefully and ruthlessly. They had heard a great deal in this country as to the unconstitutionality of certain proceedings. He apprehended that the constitutionality of the act of the Committee in adjourning on the 3rd of July, or of the issue of the Royal Commission, or of every proceeding that had been taken under the advice of the Ministers of the Crown was outside the discussion as much as it had been approved by the highest constitutional authority in the land.

Hon. Mr. BLAKE [derisively]: Hear, hear.

Hon. Mr. McDONALD (Pictou) said the hon. gentleman said here, hear. That was not the way in which a reference to the Crown officers in England was received in the source of constitutional law. (*Hear, hear.*) He asked the hon. member for Bruce South (Hon. Mr. Blake) if he differed from the right hon. gentleman or from himself in regard to constitutional law? When he went for a decision he went to the law officers of England, by whose advice the proceedings of that Parliament were governed. What members of the Imperial Parliament would sneer at the constitutional learning of those whom her Majesty selected to advise her in constitutional law?

In England the other day a case came up involving a question between Parties which were running neck and neck, between the Conservative Party, which is growing in power every day, and the Liberal Party, led by Mr. Gladstone, which was going down by losing almost every election which took place. Mr. Gladstone had thought it necessary to strengthen his own Government, by doing what had seldom been known in England before, namely, while Premier of England to take the office of Chancellor of the Exchequer. The question came up whether by accepting the second office, Mr. Gladstone would have to go back again to his constituents. Everybody knew that if Mr. Gladstone had gone back, he would have lost his seat for the constituency he now represented, and a serious blow would have followed upon the Party. To whom was the question referred? Mr. Disraeli was standing foot to foot with the leader of the Government, ready to crush him down. In such a case as his, where it was most important that Mr. Gladstone should be compelled to win and lose an election, what would have been done in this?

Hon. Mr. BLAKE: That change was affected after the session of Parliament closed.

Hon. Mr. McDONALD (Pictou): I care not. If the hon. gentleman takes office during the recess, does he not have to go back to his constituents?

Hon. Mr. BLAKE: Mr. Disraeli and the Opposition have had no opportunity of pronouncing upon the matter.

Hon. Mr. McDONALD (Pictou) said the question was referred to the Crown Law officers of England. They determined in favour

of their own chief, and neither Mr. Disraeli nor a paper in his interest, from that hour had found fault with that decision. He asked the hon. gentlemen, what would have been the exhibition here?

From the *Globe* down to the penny sheets throughout the country, the papers would have been ringing the changes on the interference with the constitutional authority, and when Parliament met they would have had the member for Bruce (Hon. Mr. Blake) and the member for Lambton (Hon. Mr. Mackenzie) making it a question of privilege, and a vote of want of confidence in the Government. He thought the hon. member, with all his ability, would do well to think of the consequences before he gave some of his utterances on constitutional law, which they heard so often in this House.

They had an instance of what they would do in Hon. Sir John A. Macdonald's own case. Not only the Crown officers of England, but the Government of England, with the Chancellor—perhaps one of the most illustrious lights of the law who had occupied that seat for half a century—presiding at its head, had declared that the Oaths Bill and the action taken by this House in regard to it was illegal. The English Government had disallowed that bill. A Committee was struck in this House, a Committee which he would not characterize as partisan, though it comprised men who were certainly not ready to abandon the principles which they possessed. The Opposition members on that Committee did not run about from one side of the House to the other, but while professing to adopt a principle, adhered to it like men willing to stake the reputation they possessed upon the strength of their convictions.

At any rate, that was the principle which had guided him; but he did not believe that there was one man of those five who would do what he thought was wrong in principle or in law. He was sorry that a man of the high standing and position of the hon. member for Bruce South (Hon. Mr. Blake) should have taken the stand which he did. The Committee, however, determined by a majority that they could not concur in that view, and therefore, that the Committee could not proceed; and then what did they see? Why, not Hon. Sir John A. Macdonald, but his Excellency the Governor General taking this out of the hands of Parliament, as had been stated, but the prosecutors themselves throwing aside Parliament and parading before the world the evidence on which they expected to form public opinion and when the hon. member for Vancouver (Hon. Sir Francis Hincks) charged the hon. member for Bruce South (Hon. Mr. Blake) with having advised and directed that course, he had not denied it, but had allowed the statement to go on unchallenged.

Therefore, he (Hon. Mr. McDonald) had a right to assume that it was the fact that these gentlemen, being members of Parliament, being members of this Committee, published to the world a one-sided and untrue statement of the evidence for the purpose of influencing the public mind. He would leave their position to the country, and would like to see how they could justify such a course. (*Cheers.*) What right had members of the Committee to countenance the publication of evidence which the country could

not receive with that coolness which it was well known was necessary in order to permit of the formation of a correct judgment upon the evidence? What right had they to cause the hounding down of the government, which had gone on for months, and to put it in the power of the Opposition leaders and press to go through the country declaring that guilt was written on the face of the Ministers.

He wanted to ask the member of the House who regarded Constitutional precedent in England whether conduct like this was becoming to a man of the high standing of the hon. member for Bruce South (Hon. Mr. Blake), or was just to men of the high and moral character of those who were accused. (*Cheers.*) He (Hon. Mr. McDonald) contended that such a course would cast discredit on any opinion that the hon. member might express. It showed that he had been guided by malevolence. He would be sorry to accuse the hon. member for Bruce South of trying to attain to power by walking over the dead body of an enemy, but he believed that the hon. gentleman was hounded on by men who would scruple at nothing to obtain the objects of their ambition. (*Cheers.*) The Committee then determined to adjourn, but the Party would not consent to wait until Parliament met—the Party whose hands were clean. (*Laughter and cheers.*) The gentlemen who dare not get up now and say that they had not expended three times the money in their own constituencies that had been expended by Hon. Sir John A. Macdonald in Ontario, had published this evidence. (*Cheers, hisses and confusion during which Mr. Snider rose in his place.*)

MR. SNIDER said he did not require the hon. gentleman who had the floor to give him a reputation. He could easily obtain that where he was known. (*Cheers.*)

There was no rule without an exception, and the gentleman whom he had observed rising, crowned with the venerable hairs of age, would generally be supposed to be better engaged in the service of his church than in corrupting his constituents. (*Cheers, hisses and confusion.*) He had no doubt that any reference to religion did not sound well on the other side of the House. (*Renewed disorder.*) If the hon. gentleman thought that he (Hon. Mr. McDonald) had said anything to offend him, he begged the hon. gentleman's pardon, but he had said nothing to offend the hon. gentleman. He had merely said that his years and his respectability would have led one to suppose that he would be better engaged in attending to his religious observances than in corrupting his constituents. (*Renewed disorder.*)

Now he came to their question as to whether the charges of the Hon. Mr. Huntington were proven, and he presumed that, taking the evidence as a whole there was no one who would say that there was not a particle of evidence to show that the money spoken of was corruptly obtained. (*Cheers and laughter.*)

He quite understood it when the hon. gentleman opposite said hear, hear to this statement, but he would like the hon. gentlemen to point out the evidence. Did the hon. member for Bruce South take mere assumption against the sworn statements of men as good and as honourable as himself. (*Opposition: No, no; and cheers from the*

Government benches.) Did they want him to take the assertions of men like McMullen against the evidence given under oath by men as respectable and as honourable as the hon. member for Bruce South? (*Renewed disorder.*) Did they want to take the assertions of a man who had condescended to steal private correspondence against men who went under the solemn ordeal of an oath to purge themselves of a foul attack upon their honour? (*Cheers and laughter.*)

But the hon. gentleman wished them to infer, and that had been the argument all through the country for months, and the hon. members opposite who had spoken had not hesitated to treat the evidence with the same unfairness, that because Hon. Sir John A. Macdonald got the money and Sir Hugh Allan the contract *ergo* there was corruption. (*Hear, hear and cheers.*) He could understand certain gentlemen cheering this, but he was surprised that the hon. member for Bruce South (Hon. Mr. Blake) had done so. From what he knew of the history of the hon. member, of his fame as a logician, such a course of reasoning as this from the hon. gentleman he could not understand.

Take forty-five thousand dollars in Ontario. Why, down in his own Province, along the sea shore, where they were very poor, it was found necessary to expend \$400 or \$500 at the elections in each constituency, and that was all that the evidence showed had been spent in Ontario. But then the hon. gentlemen opposite did not want evidence on which a clear conviction could be arrived at from reasoning. Let him show his evidence that there had been a single dollar more than that \$45,000 spent in Ontario. The Government was quite willing to admit that in the great Province of Ontario the great Party who stood behind Hon. Sir John A. Macdonald in their desire to carry him into Parliament and give him a majority, spent as much more. That would be ninety thousand dollars, and that was called corruption. (*Cheers and hear, hear.*) He would like to have, and he trusted they would have, more knowledge and a more complete history of the expenditures of candidates on both sides of the House during the last elections before the close of the session. (*Hear, hear.*)

And now as to the evidence. What was the charge? He then proceeded to read the first branch of the charge contained in Hon. Mr. Huntington's motion of last session. And now on his responsibility as a member of the House and as a humble individual somewhat accustomed to look at the relation of testimony to its subjects, there was not a tittle of evidence to prove this charge. (*Opposition hear, hear and cheers from the Ministerial benches.*) The hon. gentlemen did not suppose that laugh coming from them whose minds at this time were implacable, and who were utterly incapable from their malevolence to form a fair judgment upon the evidence, would affect him. He was not appealing to them, but to the people of this country who would judge for themselves fairly and honestly outside the Party strife that prevailed in this House.

In this evidence there was not a particle of proof to show that Hon. Mr. Huntington's charge had been sustained. (*Cheers.*) He would go further and show that on the evidence on which they

relied, even on this political evidence, there was nothing to show that this branch of the charge had been sustained. He would like to know what hon. gentlemen opposite would say if they were told that letters written in the confidence of friendship, letters written by one clear headed astute business man to another by which he hoped to get the best of the bargain for himself, in which he was not bound to represent things as they were—(*Opposition hear, hear*)—and in which he did not represent things as they were—(*Ministerial hear, hear*)—were to be taken as evidence.

He feared that so far as Sir Hugh Allan was concerned—he did not like to say anything about a man who was not here to defend himself, but he must confess that from the character of these letters—that it would seem as if that gentleman must have been brought up somewhere in the vicinity of a Grit camp. (*Cheers and laughter.*) There was no doubt about it that Sir Hugh Allan's letters were not sustained by his sworn testimony, but at all events he would like to know what Hon. Sir John A. Macdonald knew of the matter. He would like to know if there was a man in the House who could say Hon. Sir John A. Macdonald knew anything about the matter until it was over.

What Sir Hugh did could not affect the Government in any way. Suppose he had gone down to Washington and pretended to make a cession of our territory to the Americans, how could that have affected the Government? Therefore, every letter that he had written on the subject was, so far as the Government was concerned, so much waste paper. (*Cheers.*) Sir Hugh did not pretend to say either that the Government knew anything about these letters when he was writing them. The Government knew that he was negotiating with the Americans, and they had cast cold water upon his negotiations more than once; and when he had come to them they had told him they could not entertain any propositions until they had developed a scheme and until it had been submitted to Parliament. Therefore this correspondence was entirely unknown to them and was entirely behind their backs.

But even assuming the Government had some knowledge of these communications, even assuming that they had been submitted to them, there was not a tittle of evidence to sustain the charge. The only evidence of a contract was the evidence conveyed in Hon. Sir John A. Macdonald's telegram of the 20th July to Sir George-É. Cartier and which was shown to Sir Hugh Allan as it was the condition of things on the 26th of July 1872. At that time Sir Hugh Allan had entirely broken with the Americans. The charge said that the understanding come to was in anticipation of the session of 1872, but he maintained that the correspondence showed that before that session and before the Government knew a letter was written, Sir Hugh wrote to the Americans that he could have nothing to do with them.

Hon. Mr. BLAKE: The hon. gentleman is a year astray.

Hon. Mr. McDONALD (Pictou): I am not. The papers show that in January 1872, before the meeting of Parliament which was in March, Sir Hugh wrote that in conversation with Mr. Brydges the

latter said he did not think the Government would have courage to go into the scheme at all until after the elections and after the statements and the rumours at the time. Sir Hugh added "I think we are sure of Cartier's opposition." And yet this was the time to which the charge refers as to the understanding between Sir Hugh and the Government through Sir George É. Cartier.

Hon. Mr. WOOD: Not at all. This was in the July following.

Hon. Mr. McDONALD (Pictou): If the hon. gentleman will read the papers, and I doubt whether he has yet done so, he will see that the agreement is shown to have been made in anticipation of the session of 1872. It is said that McMullen and others made an agreement with Sir Hugh Allan; but suppose such arrangement was made, what was the value? Why, nothing beyond the paper on which it was written, and it is this of which I complain in the hon. member for Bruce (Hon. Mr. Blake) that with all his legal knowledge, he should call the agreement of perfectly irresponsible men an agreement to build the road. There was not a particle of evidence that there was any agreement at that or any other time of which the Government had knowledge. I will not condescend to read the statements of McMullen, a man who has put himself entirely beyond the pale of belief in this country. (*Cheers.*) A man who even by gentlemen opposite would not be believed on his oath if he had five dollars at stake. But I will invoke into the discussion the statements of men who will be believed by the whole country; the statements of Hon. Sir John A. Macdonald, Hon. Sir Francis Hincks, Hon. Mr. Mitchell.

Hon. Mr. HUNTINGTON: And Sir Hugh Allan.

Hon. Mr. McDONALD (Pictou): Yes, and Sir Hugh Allan. I do not know whether the code of honour on the part of the country, from which the hon. gentleman, who says, "and Sir Hugh Allan," comes, is so high that a member's honour is better than his oath, but if it is so, I congratulate the hon. gentlemen. (*Cheers and laughter.*) I was saying that I would invoke the sworn declaration of men who, for many years, have received and deservedly received the implicit faith and confidence of nine-tenths of the people of this country. With all the malice which Party can invent there is not a man who is not lost to all sense of honour, who will not believe the statements of such men as Hon. Sir John A. Macdonald, Hon. Sir Francis Hincks, Hon. Mr. Mitchell, Hon. Mr. Campbell, Mr. Ouimet, Mr. Thomas White, and Hon. Mr. Langevin entirely, on their honour or their oath. (*Loud cheers.*) And I find that every one of these men declared on their solemn oath before the people of this country that there is not the slightest truth in the charges made. (*Continued cheers.*)

But what are we to think of the man who, under the pretence of being the sole guardian and keeper of the privileges of Parliament, shirked his duty to himself and to his fellow-men; and I should like to know how he can ask the people of this country to reject the oaths of the men of character, honour and standing I have named and accept the word of a slanderer. Not, however, was only the hon. gentleman absent from his post, but others were absent also. How

did it happen that the man supposed to have stolen the letters from Mr. Abbott's office was also absent, and how does it happen that the moment the Commission is dissolved, and he could with impunity do so, Mr. McMullen appears in Ottawa under the eyes of gentlemen opposite? (*Loud cheers.*) I would not be surprised if some day we are honoured with the company of Mr. Norris also. I would ask the country and the members of this House, and every man of common sense whether, in the face of testimony thus procured, they are prepared merely to gratify political malice to ignore the testimony of the men I have mentioned.

It was significant that yesterday the member for Shefford (Hon. Mr. Huntington) paid a high tribute to Sir Hugh Allan to get great commercial sagacity and high honour, and surely he will not now declare that his statement under oath that Hon. Sir John A. Macdonald is as pure as a lamb of the charges preferred against him cannot be received. (*Loud cheers.*) I can only say that I do not believe the people of this country will so view the matter, but that they will at once accept the statement of the man who voluntarily walked into court, and with the Bible in his hands and in the presence of his God declared that the man thus maligned was innocent of every charge made against him. (*Cheers.*)

With respect to the statement that an agreement existed between Sir Hugh and certain Americans, I ask with Hon. Sir Francis Hincks, "What was there wrong in that as regards the Government?" What is there in it to drive the present Government from power? What is there to obstruct the Pacific Railway? What is there to induce men who have supported the Government hitherto to withdraw that support? The hon. member for Shefford stated that the gist of the charge is that Sir Hugh purchased the contract and paid for it with gold with which the elections were carried, and I accept the charge and will deal with it in that way.

I maintain that the Government were not aware that there was a letter written, or that there was an agreement made, and more, in fact, that they were aware of nothing beyond that Sir Hugh was conversing with these people. In July 1871, Hon. Sir Francis Hincks wrote to Mr. Beaty, and though the letter was marked "confidential," and like many other confidential documents found its way into the hands of those who had no right to it—stating among other things that it was not the business of the Government to have parties brought into the scheme, but to consider the propositions brought before it; and in a later letter he characterized the steps taken as altogether premature.

Then comes the charge that an understanding was to come between the Government and Mr. Abbott, for the advance by Sir Hugh Allen of money to aid the elections in return for the contract. This is not only untrue, but it has been proved to be untrue. Sir Hugh declares on his oath that such was not the case, and there is nothing to support the statement but McMullen.

What was the result at the time money was said to be paid. Sir Hugh was simply at the head of one Company with a second very

powerful Company as his rival, while Sir John with the perseverance for which he is famous, seeing difficulties but knowing he had made no agreement to give the contract to any one, and that he had the game in his own hands as he had done from the inception of the road, stood with this policy on his head, and Sir Hugh and Mr. Abbott went to Toronto to endeavour to effect the amalgamation of the two companies, which would enable Sir John to carry out the policy authorized by the Act of Parliament. And I am astonished that any intelligent man should not see the mere efforts for amalgamation belie the whole story on which the attack is made. Sir Hugh Allan never got the charter. He never got the contract. I see gentlemen opposite smiling, but I will undertake to say that every intelligent man will endorse the statement that, in the sense used in the resolution, Sir Hugh Allan never got the contract.

It being six o'clock the House rose.

AFTER RECESS

The **SPEAKER** took the chair at 7.30 o'clock p.m.

* * *

PROVENCHER ELECTION

The **SPEAKER** intimated that the Clerk of the Crown in Chancery had received the return for the election of Louis Riel, Esq., as member of Parliament for the district of Provencher in the room of the late Sir George-É. Cartier, deceased. (*Hear, hear.*)

* * *

ELECTION COMMITTEE

Mr. **CHISHOLM** presented the report of the Election Committee for the North Riding of Huron, to the effect that in consequence of the absence of Mr. Joly, chairman, and Mr. Flesher, one of the members of the Committee, they were under the necessity of adjourning for another day.

* * *

THE ADDRESS

The debate on the Address was then resumed.

Hon. Mr. **McDONALD (Pictou)** would again refer to the second clause of the charge, in which it was stated that the Government were aware of the negotiations between Sir Hugh and the gentlemen associated with him, with reference to the construction of the Pacific Railway, and which was the ground of impeachment against the Premier and his associates. He had directed the House to the evidence on which it was claimed by the assailants of the Government that that charge was proved, and he

begged to reiterate that the only evidence on which these assailants pretended to establish that serious charge was a declaration of irresponsible persons unworthy of belief, or the unfair inference drawn from facts which were explained in evidence under oath. It might be said, and with truth, that not only had Sir Hugh Allan said to his American friends there was likely to be a Canadian Pacific Railway built, and that it was desirable to have all the capital possible in the undertaking.

But that was not the charge. The charge was that the Government had knowledge of these negotiations, which if carried on, would be detrimental to the best interests of Canada. Sir Hugh had said that the Government had not announced their views on the Canadian Pacific policy. It might be said that there were negotiations going on between Sir Hugh and the Americans. Sir Hugh had said to them, "I will give you so much stock and you will give me in return its value in dividends," but it must be recollected that that was never known to the Administration at all. It was not pretended that there was any proof of any agreement between the Government and Sir Hugh, except the agreement by the telegram of Sir John on the 26th of July—a fair agreement, and authorized by the law of the land and by the Acts of this House.

But the corrupt agreement was not known to the Government. Referring to page 130 of the report of the Commission, Sir Hugh said in his evidence, "that, accordingly, after a certain amount of negotiation, I visited Ottawa in company with some of these gentlemen, and we had an interview with the Government referred to by Sir John, on or about the 5th October, 1871. Sir John's account of that interview, accords perfectly with my recollection of what took place", and Sir Hugh then walked out. And this was the man that, according to the assailants had bought the Government.

Sir Hugh continues—"On the 23rd December, 1871, I entered into an agreement with certain American capitalists. I now produce a copy of that agreement, omitting only the names of the other signers, which I conceive I have no right unnecessarily to drag before the public. The witness here reads the agreement, a copy of which is produced and filed, marked 'P'. There was also a supplementary contract made at a future day." Now, he (Hon. Mr. McDonald) took it for granted that would cover every contract which Sir Hugh had made until the day of Sir John's telegram. Again the evidence continued—"I had no recollection of this contract until within the last few days, and, if I had been asked, would have said I have never seen it. There is no question but that the contract was entered into and that I was one of the signers. Witness here reads the supplementary contract, a copy of which is produced and filed, marked 'Q'. Neither the Government, as a whole, or any member of the Government, ever saw that agreement or had any knowledge of its existence as far as I know, until very recently."

There was the agreement and the only agreement, except the agreement referred to and confirmed by Sir John's telegram. Where was there anything to contradict that? Sir Hugh in his own letter

declared the fact that he had entered into an arrangement confirmed by Sir John's telegram. Where was there anything to contradict that?

Sir Hugh in his own letter declared the fact that he had entered into an arrangement with the Americans, and if he could manage to obtain the necessary legislation, the agreement would come into force; but what did he write later on? Sir Hugh was not the man to say to the Government, "it is true you have deceived me," and then not to bring the charge against them, but not only does he decline to accuse the Premier of corrupt proceedings, but he comes voluntarily into Court and bears testimony that the charge was false. That was the man who, having embarked American capitalists in the negotiations, quietly wipes them out without hesitation. Why would Sir Hugh have done that if he were not convinced that this contract was a fair and a just one? It must be recollected that if one letter of Sir Hugh was sufficient to convict, another was sufficient to acquit.

On the 24th of October, 1872, long after the elections and long after Sir Hugh had paid out these large sums of money, and when this alleged agreement had been made, Sir Hugh knew that he had Sir John in the palm of his hand, he said in writing to Mr. McMullen:—"No action has yet been taken by the Government, in the matter of the Pacific Railroad." Here was the man who, although he had bought the Government, did not know what the action of the Government was. The simple fact was that Sir Hugh was anxious for the just promotion of a great public work—a public work which Sir Hugh would have carried on had it not been for the conduct of the gentleman opposite. He believed that thousands of people would be now seen stretching that great highway across the country if gentleman opposite had not sacrificed the interests of the Dominion to their own greed for power. (*Applause.*)

Sir Hugh continues: "It is still uncertain how it will be given, but in any case the Government seem inclined to exact a declaration that no foreigners shall have directly or indirectly any interest in it." Sir Hugh did not say the Government had deceived him, but he said the Government who have the control of the contract declared to him openly that all foreigners would be excluded. On the 11th November following he wrote this "Dear Mr. McMullen, You really know as much about the Pacific Railroad contract as I do, and that is not much. I am assured that the Government have resolved to form a new Company. It is said that the matter will be arranged by the end of this month." There was a letter from the man who if the charge were true might walk into the office of Hon. Sir John A. Macdonald or into the office of Hon. Sir Francis Hincks, or that of Hon. Mr. Langevin, not as a suppliant for a great contract but to demand such contract.

Sir Hugh said in his letter he recognized the entire control, the entire command which the Government had over this railway. The next clause was that subsequently an understanding was come to with the Government. This was not true.

(*Cries of oh, no, from the Opposition.*)

Hon. Mr. McDONALD (Pictou): The hon. gentleman says oh, no. He took the liberty of saying that that was not true. Where was the evidence that Sir Hugh Allan's friends advanced any money? Where was evidence that Sir Hugh Allan had any friends that knew anything of it? He should presently adopt the broad and general view of these resolutions and see if there was any more evidence to sustain it as a whole than in its constituent parts, but now if they were to have technicalities he asked where was the evidence that Sir Hugh Allan had any friends whom he consulted? Did he not swear that he paid every dollar out of his own pocket, and that his brother did not know anything of it until he saw it in the newspapers? Was that not to be believed?

He was not going to follow the example of the hon. member for Shefford (Hon. Mr. Huntington) and argue from strict technicalities what was the charge. In effect it was that an understanding was come to with Sir Hugh to advance a large sum of money and that he should get the charter. That was not founded a fact. There was no evidence on which to base a declaration that Sir Hugh was going to get any charter at that time, or until the time at which the charter was given to the combined company. The Canada Pacific Railroad was incorporated. He had the charter for that road in his pocket, as Mr. Macpherson had the charter of the other company.

The view placed before the House by the hon. gentleman opposite was as unfair, as uncertain, as incorrect, and as loose as the charge upon which it was based. If the charge meant anything at all it meant that on the 30th of July, 1872, there was a corrupt understanding come to, by which Sir Hugh Allan was to get the charter that he then had not, and that he was to give the money which was to carry the elections.

He appealed to the House and to the country to say whether there was a particle of evidence to sustain that. He deprecated, as he had always done, the most unfair mode of reasoning by inferences. He wondered whether, in the case of any criminal that went into the dock, the most petty thief charged with petty larceny, any Englishman of common honour and decency would convict a boy of stealing a handkerchief on mere inferences such as these. Where was there a connected chain of circumstantial evidence? Here they were asked to infer, not only from the patent feature of the evidence, but against the declared oath of the party whose statements they had to adopt.

Sir Hugh Allan and Mr. Abbott were the only two persons living, who were present and knew of that transaction. Mr. Abbott was present. He was a member of the House, and in his clear and positive statement before the Commissioners he had denied the charge, and he had no doubt that he would address the House on this subject. In the meantime they had his evidence and Sir Hugh Allan's evidence, the testimony of the only two people who knew the facts, and he wanted to know if they were going to admit any inferences against the positive evidence of these two men. They might leave out Sir Hugh Allan and take Mr. Abbott alone, than whom there was not a man in the Dominion of higher honour and

greater integrity. (*Cheers.*) There was not a man on the Opposition side of the House even would impeach the true honour and the perfect integrity of that honourable member. (*Cheers.*) They had his oath declaring that the charge of the member for Shefford was devoid of truth; that there was not the slightest foundation for the declaration. They had his oath sustained by Sir Hugh Allan's that no bargain was made or contemplated; that no contract whatever was entered into, but that Sir Hugh Allan, as a member of the Party, gave a large contribution to the elections.

They came now to another unfair argument. It was said that Sir Hugh Allan had given more to the elections in 1872 than he had ever given before, and that he had not been in the habit of giving a large sum of money. What had they to do with the motives which impelled the action of Sir Hugh Allan? Were his motives corrupt? If so, let them prove it. Unless the corrupt motive and the corrupt action were proved it was only an impertinence to ask wherefore Sir Hugh had contributed a larger amount than usual. But the answer was given by himself, and unless this was some more perjury it must be accepted by the House and the country.

Sir Hugh Allan said "it was not for the Pacific road alone that I gave this money, because that was only subordinate to the other problems which I had long fostered in connection with Lower Canada." There was a road between Montreal and Toronto, another west to connect with the Great Western track, a road which the hon. member for Cumberland (Hon. Mr. Tupper) declared that Sir Hugh Allan was largely interested in. Consequent on his ships sailing from the port of Montreal there were interests which he said himself induced him to spend so large a sum of money, and it was doubtful now whether if only the Pacific road had been at issue Sir Hugh would have given a dollar for any privileges he expected to receive. If he had given three hundred thousand dollars for a contract which he did not get, which he knew Hon. Sir John A. Macdonald had no intention of giving him, and which it was in the nature of things that this Parliament would give him, he was not the astute, shrewd merchant hon. gentlemen opposite made him out to be; and it was not likely, if this were true, that he would come into court and declare the charge to be a foul slander.

There was no doubt that Sir Hugh Allan gave one hundred and sixty-two thousand dollars for the elections in the two Provinces of Canada, \$45,000 of which went to Ontario and the balance to the lower Province. That is assumed to be corrupt, but if on the face of the evidence every man who knew about this transaction, the independent, intelligent people of the Dominion of Canada would be struck down who on other grounds deserved well at their hands. If the public spirit of this Dominion should calmly and on reflection see the first men of the State struck down by an inference as false and unfair as it was foul, then he, for one, would be disappointed in the manhood of his country. He did not believe that men were accustomed to deal fairly with their neighbours; men who would readily see that the poorest beggar who walked the street had fair play, would see the first men struck down by evidence so unsustainable and so false in its deductions as that which hon. gentlemen opposite brought forward.

The next paragraph of the charge was as follows:—"That part of the money expended by Sir Hugh Allan in connection with the obtaining of the Act of Incorporation and charter were paid to him by the United States capitalists, under the agreement with him." Where was the evidence of that? (*Cries of oh! oh! from the Opposition.*) He would not suppress any evidence, and he would not follow the example of the other side by perverting the evidence. (*Cheers.*)

What Act of Incorporation and charter was that referred to? Was it the one Sir Hugh Allan got? Did not the hon. gentleman know that that paragraph was intended to convey, and did convey a false impression. The only Act of Incorporation Sir Hugh Allan ever got was that of the Canada Pacific Company. Was that the charter in connection with which he brought the charge of corruption, and in relation to which he alleged a corrupt contract was entered into between the Government and Sir Hugh Allan? He would undertake to say that it was not. The only amount advanced by the Americans was that for the expenses of obtaining the Canada Pacific charter, and the charter of a loan company or something of that kind. The hon. gentleman was so well informed that he alleged that the \$40,000 had been returned by Sir Hugh Allan the moment the contract was made. (*Opposition cries of no, no.*) A gentleman so well versed in the means of obtaining information—(*cheers*)—might have obtained the knowledge of that which Sir Hugh Allan declared on his oath to be the fact.

Hon. Mr. HUNTINGTON: He does not say he paid it back before I made my charges.

Hon. Mr. McDONALD (Pictou): He was not going to give evidence. The hon. gentleman had yesterday undertaken on the floor of the House to give evidence contradictory to that of Judge Coursol.

Hon. Mr. HUNTINGTON said his statement was explanatory, not contradictory.

Hon. Mr. McDONALD (Pictou) said that at all events the hon. gentleman had explained Mr. Coursol's evidence under oath on the floor of this House. It would have been better had he given his explanation when Judge Coursol was present. (*Cheers.*) He assumed that Sir Hugh Allan repaid the money when the negotiations with his associates were broken off, several months before the hon. gentleman made his charges on the floor of this House. Perhaps the hon. gentleman would do him the favour to tell him what charter he meant by the Act of incorporation, the expenses of which were paid by the American associates of Sir Hugh Allan?

Hon. Mr. HUNTINGTON said the charter was obtained in the session of 1872, and according to the evidence the expenses were paid by the associates of Sir Hugh Allan. Long afterwards by the men who furnished the money to Sir Hugh Allan the expenses of the charter were repudiated, and they made arrangements with him (Hon. Mr. Huntington) to bring the charges against the Government. (*Hear, hear and laughter.*)

Hon. Mr. McDONALD (Pictou) said the hon. gentleman spoke of the charter obtained by Sir Hugh Allan in 1872. The records of the country showed that the only charter obtained by Sir Hugh Allan in 1872 was that for the Canada Pacific road, so that the hon. gentleman most unfairly charged as part of the corrupt contract made by the Government, that the associates of Sir Hugh Allan paid some of the expenses of a charter which was obtained with the consent of the hon. gentleman himself in this Parliament. *(Cheers.)*

Hon. Mr. HUNTINGTON: I was not here at the time.

Hon. Mr. McDONALD (Pictou) said the charter was obtained by the assent of Parliament. The hon. gentleman was a member of Parliament, and he had therefore a right to assume that he was here. That charge was of a piece with the rest. The construction put upon it by the hon. gentleman was far more fair and tangible than that which they had been considering now. The hon. gentleman had declared that the gist of the charge was that Sir Hugh Allan had purchased the contract, and paid for it with the gold by which the elections were won.

He did not hesitate to put before the people of this country the evidence and the facts which had been elicited; and as he believed his countrymen to be honest and upright, as he believed them to be ready, irrespective of Party prejudice or strife, to do justice to their political opponents, so he believed that the almost universal voice of the people of this country when they were properly informed, would be a verdict, not only of acquittal, but of triumphant honour to the right hon. the leader of the Government *(cheers)*, and of condign punishment to the men who would have the hardihood, in the face of the people, to support the resolution of the hon. member for Shefford (Hon. Mr. Huntington). *(Loud cheers.)*

He did not intend at that late hour to enter into a discussion on the question of prorogation *(cries of "go on")*, because it had been intimated that the House would have another opportunity to discuss that matter, apart from the general question of the evidence. He thought it was desirable that these questions should be separated, but he would refer to an admission in the speech of the leader of the Opposition, which was conclusive against the whole policy of his Party. They had heard, not only that the Ministers who gave the advice, but the high personage who acted on that advice, had been guilty of a violation of the constitution, and of a wrong for which they deserved the censure of the House. The answer was that the Government prorogued because the honour of the Crown was staked upon it, the First Minister having declared, with the assent of the Crown, that the House would only meet *pro forma*, and that no business would be done. *(Cheers.)*

He had not been present himself, but he had read the debates in both the great leading papers of this country, and he knew that before he left Ottawa, that was the declaration he heard fall from the lips of the Minister. That was the statement made by the First Minister, but it had been denied by gentlemen on the other side. He would refer again to the letter sent to his Excellency the Governor

General on the 23rd July, 1873, by the hon. member for Shefford, in which, sending him the letters published by his people, he said: "I send you evidence of corruption on the part of your Ministers which, whatever the understanding when the House adjourned must compel you now to make the re-assembling of the House on the 13th of August a regular session." *(Cheers.)*

He would prove by this letter that when it was written the hon. gentleman had no more idea that the House was to be called together for business than he (Hon. Mr. McDonald) had. *(Cheers.)* Why was it necessary for him, as a member of this House, to go out of his way in unauthorizedly tendering to his Excellency a paper deeply affecting the honour of his advisers, and asking his Excellency to come to a premature decision, in the absence of the men who were charged. It was bad enough to publish these letters, to let them go into the press without the sanction of any responsible person, but to ask the hon. gentleman to take cognizance of the papers, because the hon. gentleman and his friends could not wait for the proper time of the assembling of Parliament, giving as a reason that although it was well known that the reassembling of Parliament in August 13th would be *pro forma*—

Hon. Mr. MACKENZIE: No, no. *(Cries of "yes, yes.")*

Hon. Mr. HUNTINGTON here rose.

Hon. Mr. McDONALD (Pictou): I am not to be interrupted.

Hon. Sir JOHN A. MACDONALD called the member for Shefford to order, saying that he had no right to rise.

Hon. Mr. HUNTINGTON said he rose for the purpose of going to his desk, to give a copy of the letter desired by the hon. member for Pictou. *(There were great cheers and laughter at this announcement, and the scene was enlivened by the fact that when Hon. Mr. Huntington went to his desk he found that he had not the key, and had to go and find it before he could comply with the hon. member's request.)*

Hon. Mr. BLAKE: The hon. gentleman has mistaken the letter.

Hon. Mr. McDONALD (Pictou): Then it is the hon. gentleman's fault. He read it, and it ought to have been laid on the table and made the property of the House, and then I could not have mistaken the purport of it.

Hon. Mr. HUNTINGTON: I have tried a number of keys with which to open the desk. *(Cries of "Stolen!" "Order!" and laughter.)*

Hon. Mr. McDONALD (Pictou) proceeded to say that the hon. member for Shefford had expressed his desire to know the temper in which Parliament was to deal with this question. There was no man in this House or in the country who was more anxious to ascertain that than he was himself. He had a perfect reliance on the honour of this House, and believed that a majority of the

representatives of the people of the Dominion would deal fairly with this question, which was one not only of a political character of great importance, but involving what was of far more importance, the honour of every public man.

The hon. gentleman then read the letter in question, and continuing, said that he thought the House would see that the only construction of this letter was that he had put upon it. (*Cheers and Opposition laughter.*) No, he was saying he quite concurred with the expression made by the hon. member for Shefford, any he sympathized with him in his declaration that it was unsafe to have thieves around—(*laughter*)—now it was, to say the least of it, very curious. This was a very curious expression to come from an hon. member on that side of the House. The hon. member, in speaking of an hon. Minister of the Crown, or in allusion to the subject which he was discussing, referred to the danger of having thieves around. He (Hon. Mr. McDonald) must say that at any rate it was curious that such an expression should have come from that side of the House, and he was quite sure that the country generally would agree with him that such an expression found its rest at home.

He would like to ask what the temper of Parliament was to be on entering upon the discussion of this question. Were they to enter upon it in the temper exhibited here tonight? He believed that would be found to be a true index of it. The hon. member for Shefford (Hon. Mr. Huntington) had spoken for two or three hours last night, and during that time he did not think that he was interrupted on one occasion, except when his eloquence was applauded. He congratulated hon. gentlemen on this side of the House that they had not been carried away by their feelings, but had listened attentively, in order that they might come to a determination in accordance with the truth as they believed it. The hon. member for Lambton (Hon. Mr. Mackenzie), the leader of the Opposition, assumed last night that he calculated on obtaining a majority composed, in a measure, of members from this side of the House. He (Hon. Mr. McDonald) could only tell the hon. gentleman that he had no authority for making such a declaration.

He knew that the honour of the right hon. the Premier was safe in the hands of this House, and could only tell the hon. gentleman that if they should by a catch vote succeed in driving his right hon. friend from power, and casting upon him a stain which they had so ardently endeavoured to do, history would very shortly do him justice, and that in the hearts of the people of this country his history and his name would be kept sacred as that of which they might well be proud.

The hon. gentleman then put the following resolution in the Speaker's hands:—"And we desire to assure His Excellency that after consideration of the statements made in the evidence before us, and while we regret the outlay of money by all political parties at Parliamentary elections, and desire the most stringent measures to put an end to the practice, we at the same time beg leave to express our continued confidence in His Excellency's advisers, and in the administration of public affairs." (*Government cheers.*)

Mr. GLASS: I rise not so much to answer the remarks made by the hon. member for Pictou, or those of any other hon. gentleman, as to place a statement before the House, which will clearly define my own position. I will, however, before taking my seat, prove that the hon. member for Pictou, placed on record a resolution to the effect that we should come to the House on the 13th of August, for the despatch of business. With regard to that part of the hon. gentleman's speech, which materially affects, and which relates to the course I have thought proper to pursue, I feel it my duty to make such comments as will put me right with the House and the country.

I desire to make known the sequence of reasons which induced me to take the course I pursued on the 13th of August, and also point out what I believe the duty of the hour. And if a number of gentlemen in this House and out of it have expressed great personal attachment to me, and particularly because I came to the city of Ottawa last week (*hear, hear, and laughter*), I trust that these hon. gentlemen and other friends of my own are sincere, as their earnest professions would lead one to believe. I trust that behind their placid exterior I may not find an iron hand, and that these expressions of friendship are not mere mockery. A course may be pursued by me that will put these friendships to the test, and if the test fails to secure the friendship then, Mr. Speaker, it would prove that they were as hollow and short-lived as their pretensions. But, Sir, I will not anticipate that. I shall try, both privately and publicly, to so deport myself before this House and the country as will entitle me to the respect even of those who are opposed to me in opinion. (*Applause.*)

When this question was brought before the House, Mr. Speaker, on the 2nd of April last, by the hon. member for Shefford (Hon. Mr. Huntington), it was intimated that there was no foundation in fact for making the charge, and that those who were faithful to the Ministers were to regard the charges as an expression of want of confidence, and vote them down. This was done with fidelity not soon to be forgotten in this House, and with an earnestness which showed how sincerely the followers of the Administration had confidence in their leaders.

On the 8th of the same month of April, the Right Hon. the First Minister (Hon. Sir John A. Macdonald) made a resolution, and caused it to be carried, for the appointing of five hon. gentlemen and members of this House a Committee for the investigation of the charges: That committee was selected with the view, as far as possible, to have the relative strength of the parties of this House fairly represented upon it. The House, by this act, declared deliberately the result of its judgment was, that the Committee should not be composed wholly of those who were pre-disposed for or against the accused, but that it should be composed so as to give an opportunity for the eliciting of every portion of the evidence, and prevent any wrong being done. That Committee was the off-spring of the House; created for and concerning a matter brought before the House, a matter not brought before any other tribunal, authority, or court, and therefore, Sir, in my judgment—and I give it with all deference to those of greater experience—according to my judgment, cognizable of this House and this House alone. The

Government was so strong in numbers upon that Committee that it should have had no hesitation in allowing it to proceed vigorously with its labours. (*Applause.*)

The charges were of such a nature as to implicate every hon. gentleman sitting on this side of the House. This constituted a greater reason for promptness in the rendition of the evidence in order that no time might be lost in order that the members and supporters might be completely vindicated. This was not a matter, as has been said, that affects individual members alone. It is a matter which is material to the Dominion of Canada, therefore, when these charges were brought in this House they created a sensation in every city, town, and hamlet throughout the whole Dominion. A sensation, Sir, which partook not of excitement but of solemn wonder—wonder at the enormity of the charges, and solemn because of the consequences which must follow if these charges could in any degree be sustained by evidence. (*Hear, hear.*) Those who were wont to believe ill of the Government readily fell into the belief that the charges were true, while the supporters of the Administration as stoutly denied the truthfulness of these charges, and with this view and to this end every resolution brought before this House was carried strongly in favour of the Government in order that the Ministers themselves and their supporters might be vindicated, and that it might be clearly shown that the spirit of fair dealing and generosity towards the accused rested as surely in the British heart here as in any other part of the Empire. (*Hear, hear.*)

The charges were of a grave nature and therefore the greater necessity some time should be given to prepare for the defence. That time was given, not grudgingly but heartily, in order that the Ministers might have an opportunity of justifying themselves and their supporters. (*Hear, hear, and applause.*) During the time the matter was under discussion in this House, the right hon. first Minister frequently suggested that he would have no objection to the appointment of a Royal Commission. That suggestion was not seconded by any member of this House, and therefore the fair presumption was that the Royal Commission was not desired by the House for the most obvious cause, that the Commissioners would owe their legal life and management to the persons who were accused. (*Hear, hear.*) It would appear to be contrary to the fundamental principles of natural justice. (*Loud applause.*) No one pretended to deny the supremacy of this House, supreme above the Government, and in the mother country supreme above the Throne itself, which more than half a score of times since the days of William the Norman had been regulated, controlled, and settled by their Commons House of England. I was of opinion that when this question was brought before this House, the prototype of the greatest deliberative assembly in the world, that this House, whether by direct resolution or by tacit consent, should not be superseded, disregarded, or set aside, as that course would create an evil precedent, dangerous to the liberties of the people and the future prospects of the country. (*Hear, hear, and loud applause.*)

I say when that question was under consideration in the House the right hon. first Minister suggested on more than one occasion that he would have no objection to the appointment of a Royal

Commission; but that suggestion was not adopted for the reasons I have referred to.

Prior to the adjournment it was stated on the floor of the House that the House would be adjourned until a future day in August, and that on that day the House would meet as a matter of form and be prorogued, and that it would not be necessary for hon. gentlemen to be present, only the Speakers of the two Houses, in order that the report of the Committee might be received.

That I believe was an error, and contrary to British Parliamentary rules. The report could not have been received without a quorum of members being present. A quorum of members would constitute a House; being a House it would be master of its own acts, and being master of its own acts, it would not be likely to be prorogued without its own consent, saving the right of the prerogative, which should have been used with great care, it being a relic of the age of prerogative, which had now passed away. It will not be seriously pretended that the statement of the right hon. the Premier of this House (Hon. Sir John A. Macdonald) was in itself to be declared as the final action of the Commons of Canada. If it were pretended that by that statement the minds of the Crown, the thirteen Ministers—then Ministers—the Senate Chamber and the House of Commons, would have been locked up, their tongues paralysed and their hands tied; if it is pretended that all persons in authority would have been wholly powerless for acting on the 13th of August, it was a forced and unjust interpretation, and never, in my judgment, was intended by the first Minister to be carried out literally at the time it was made.

My own view of it was that in all human probability we would not proceed to discharge business on the 13th August, but that we were not precluded from doing so if necessity required. There is only one state of facts that would have justified a literal carrying out of that statement, and that was if the Committee, after hearing the evidence, and after a full deliberation, had come into the House and reported that the charges against the Ministers were wholly without foundation. In fact this may have been what the right hon. Minister had in his mind when he made the statement; but for a moment look at the converse of this case. Suppose the Committee, after a full hearing of the evidence and deliberation thereupon, came to the conclusion, however reluctantly, that they were compelled to report the condemnation of the Government, and that the charges against the Ministers had been established, will it be pretended that Ministers themselves, under these circumstances, would have desired to remain in office till the following year? (*Hear, hear and loud applause.*)

That members should have been sent permanently away from the capital to their homes, and there with their constituents to brood over the conspicuous feebleness of the condition, to have heaved upon society a glaring, flagrant wrong, a wrong against the dignity of the Crown, a wrong against the other two branches of the Legislature, a wicked, violent wrong against the great mass of her Majesty's liege subjects in this Dominion, a deep and wanton injustice against every State in the realm.

But it is contended that in an exigency of that nature, some executive authority would have interfered to prevent so great an injustice. I will believe it, Sir, I believe that on that very 13th day of August, that the House would have been consulted, would have been invoked and its healthful opinions acted upon; but, Sir, the whole press and the country were of the same opinion, that the 13th of August was a time at which such difficulties as the miscarriage of the Oaths Bill and other matters of that nature might be disposed of. I contend, Sir, that the disallowance of that Oaths Bill was as important in its nature as the condemnation or acquittal of Ministers would have been, and, therefore, in that difficulty the Government should have consulted this House. (*Cheers.*) When that disallowance took place, Ministers ought to have seen to it that abundance of time was given to each member to prepare for the meeting of this House on the 13th, and takes such steps as would have prevented the unseemly difficulty of that memorable day. (*Cheers.*)

Was it to be wondered at, Mr. Speaker, that on the 13th of August these fourteen men who had formerly acted in accordance with the Government of the country availed themselves of the opportunity then offered to memorialize His Excellency, praying His Excellency not to allow that day to pass without giving an opportunity to this House to purge itself of the charge made against it, and to throw off that cloud, which like a heavy pall was resting upon it, for it was not Ministers alone who were included in the charge, but also this House of Commons, a majority of whose members were personally implicated. (*Hear, hear.*) These fourteen gentlemen, in so far as I know, had never shown themselves carping needy politicians, but steadfastly supported the Government. On the contrary, votes which were perhaps in some respects objectionable to them, but were regarded as of a character sufficient to force them to be cast against the Government, were reported in favour of the measures of the Administration. They were as loyal to the Administration as any of their followers and, let me ask, during the whole session of Parliament of last spring, could there be found in any country a Government which was sustained by more devoted, more loyal, more attached followers than these same fourteen. I say, Sir, they could not (*hear, hear*). Never during that last session of Parliament did I record a single vote against their wishes, and during the years that I had consistently, unflinchingly and regularly supported the coalition Government of that period and candidates of the party, I never either asked for or received a single personal favour at their hands.

It will, therefore, be clear to those who hear me that I have had no quarrel with the Administration, because of any favour they have in their power to grant. (*Hear, hear.*) I say that to those men who claimed to exercise an independent judgment upon that day, a portion of the press of this country has done a deep injustice, when they charge them with having some personal purpose to serve; and the hon. member for Vancouver (Hon. Sir Francis Hincks), who told all upon the floor of this House that these men had all been allotted to one place and another, also did them a

gross injustice by the statement—a statement which their previous conduct neither warranted nor excused. (*Cheers.*)

I have now to challenge Ministers and every follower they have, and the Leaders of the Opposition and every follower they have, to point out, if they can, a single incident that would warrant them in saying that I have been moved to my present action by any favours they can either give or withhold. (*Loud cheers.*) I felt sure, Sir, that all the gentlemen who acted with me on the 13th of August did so from equally disinterested motives.

In regard to the press I may say, Mr. Speaker, that in adverting to it at all, I am treading on most dangerous grounds, but I must say something with regard to the press, nevertheless, when free, and enlightened, the press is a power in our midst, and a safeguard of civil liberty. It has acceded to it, in this country, a reasonable and unreasonable liberty, and there has been acceded to it the character for honesty of purpose. I say that the press ought to extend to hon. members of the House the character for honesty of purpose, unless they can point out that that judgment is distorted from selfish motives and for selfish purposes. (*Hear, hear.*) Some of the leading journals have acted fairly upon this principle, but a great many of the Ministerial papers in Ontario have, on the contrary, behaved most unfairly towards those who on that occasion thought proper to exercise an independent judgment. They have done so, if not by writing and publishing editorials of their own, at least by reproducing articles from Opposition journals, written in the heat of the election contest of 1872, as if these could have any weight upon the issue now before the country.

I have myself been held up to the ridicule, and the scorn and the contempt of my constituents, and for what cause? Simply because I thought proper on the 13th of August, not to insult any person in authority, nor to pronounce any opinion as to the guilt or innocence of the accused Ministers, but in a respectful memorial to ask and pray His Excellency the Governor General not to allow that day to pass without giving this House an opportunity of clearing itself from the charges made against it. (*Cheers.*) I believe that in the exercise of the privilege which we took advantage of on that day, namely, to memorialize the Governor General, we did no more than, as the people's representatives, we had a perfect right to do, and that the opinion of the public press should characterize us as deceivers, betrayers of confidence, paltry fools, was surely most unjust. These journals, while pretending to act in the interest of the Government, have done the very contrary; but they have not acted merely contrary to the interests of the Government, but contrary to the interests of common sense and common justice. (*Loud cheers.*)

Sir, I see by the message of His Excellency the Governor General that he gives publicity in an official document to a letter from the hon. member for the city and county of St. John (Mr. Palmer). (*Hear, hear.*) From that despatch I see that we were unable to proceed on the 13th of August because the hon. member

for the city and county of St. John could not be here (*laughter and cheers*), and therefore, Mr. Speaker, the business of this country must stop. (*Great cheering.*)

This was a little awkward for the country, Sir, but no matter; the hon. gentleman had put his foot down, and when he did that it was not to be despised, even physically (*great laughter*), but very much more to be regarded when looked upon morally and politically (*laughter and cheers*), but the hon. gentleman was not content with absenting himself from the House; he must also write a letter, which afterwards became public property, showing his reasons for this deadlock in public affairs. (*Laughter.*) The country will be surprised to learn that when the questions were under consideration on the 23rd of May, the hon. member was not here at all and had not been for several days previously. (*Cheers.*) I may say that some time prior to that discussion he was away from the city, and this Province, and when that matter was under consideration, very likely his stately form might have been seen leaving itself in the Bay of Fundy—(*great laughter and cheers*)—or, perhaps, the hon. gentleman was then engaged in thinking over some great matter of State, or dwelling upon the question of how the great tide might ultimately affect the Baie Verte Canal. (*Laughter and cheers.*)

However that may be, I state of my own personal knowledge, and I was not absent for one hour from this city during the whole length of the session, that the hon. gentleman was not in his place for several days before the discussion in question (*cheers*), but if it were true, Sir, that this House adjourned in May upon the express understanding or agreement that it was to meet in August merely as a matter of form, and be prorogued—then Sir, if that were true, which I am prepared to prove it is not, and that out of the mouths of Ministerial supporters, circumstances had arisen in the interval which imperatively demanded that the House should have assembled for the transaction of business on the 13th of August.

Sir, I have said that I could prove from the mouths of gentlemen upon this side of the House that such was not the understanding, and one gentleman who I see very much amazed at my statement, the hon. member for Lévis (Hon. Mr. Blanchet) is that person. (*Cheers.*) I ask him whether he had not stated publicly, and placed it upon record, that we should meet here on the 13th of August for the discharge of business.

Hon. Mr. BLANCHET: No.

Mr. GLASS: If it were true, Sir, that we adjourned in May for the purpose of meeting, as a matter of form, in August, considering the disallowance of the Oaths Bill, considering the gravity of the charges, and considering the number of persons implicated, it was the duty of ministers before that 13th day of August to have made such preparation for the occasion as not to allow it to pass without giving this House the opportunity of disposing of the several matters. (*Cheers.*) It has been said that the House had no power to swear witnesses or to administer an oath to them in any way, and that we were not entitled to consider the matter of the Committee at

all. Mr. Speaker, I do not believe that to be true. (*Cheers.*) I believe that means could have been adopted whereby the oath could be administered. Whether it could or could not, however, is a matter which no power outside this House had a right to speak to, and any interference with the rights or privileges of this House should be deprecated by all, but by none more severely than the sworn Ministers of the Crown, the pledged protectors of the great rights of the people. (*Great cheers.*)

But those who thought proper to sign that memorial on the 13th of August were charged with violating an agreement whereby we adjourned in May to meet in August. As a matter of fact, I was here, Sir, during the whole of the time, and, in my judgment, no such agreement was arrived at. (*Hear, hear.*) I heard the statement of the right hon. the First Minister (Hon. Sir John A. Macdonald)—that was merely a statement, and the same authority by which it was made could as readily have made a counter statement. No one person can make an agreement; it requires at least two consenting parties to an agreement. But leaving that out of the question, the exigencies of this matter demanded that the House should meet upon that day for the despatch of business. None of the hon. gentlemen upon the opposite side of the House believed that we were to meet upon that day except for the discharge of business, if the House so willed it, nor yet, for that matter, upon this side of the House. (*Cries of "Yes, yes," and "No, no."*)

I contend, Sir that the hon. member for Lévis (Hon. Mr. Blanchet) and the hon. member for Pictou (Hon. Mr. McDonald) and the hon. member for Cardwell (Hon. Mr. Cameron) voted that the Committee should adjourn until the 13th of August in order to get instruction from this House. I take the following report of the proceedings in that connection from a newspaper:—"Mr. McDonald said he had an amendment to make to the motion of Hon. Mr. Dorion. He moved, 'That whereas the Act passed last session of Parliament empowering this and other Committees of the House to administer oaths to witnesses, who shall be examined before them, has been disallowed by the Imperial authorities, and whereas this Committee was instructed to examine witnesses before them under oath, therefore, resolved, that in the opinion of this Committee they cannot be examined until further instructed by the House of Commons'."

Now this resolution was put at Montreal, and carried by the hon. member for Cardwell, Pictou, and Lévis. While I have every respect for the talents, subtlety, skill, and legal acumen of the hon. member for Pictou (Hon. Mr. McDonald) I think the latter part of his argument that addressed to those who thought proper to use their own judgment on the 13th August had better have been omitted.

I should not have adverted at all to the hon. gentleman's remarks, as I have no desire to comment on the observations of the hon. gentlemen who have preceded me, although I have taken note of their remarks, but I am prepared to fight with such weapons as I am attacked with in this House. It was also the unanimous opinion of the Committee that it would be improper for them to be interfered with by their creation into a Royal Commission. Three leading

members on this side of the House had recognized by their official act that we should come here on the 13th of August for the despatch of business, and I think it is fair to presume that they were not alone in coming to that conclusion, because the hon. member for Cumberland (Hon. Mr. Tupper) said last night, as I understood it, that the Administration was at that time in Montreal. These three gentlemen were appointed to investigate the charges, and see that justice was particularly done to the Administration. I submit, Sir, it was reasonable that if the Administration were there they would have been consulted as to the course to be pursued. The resolution I have read, having been passed by the Committee, while the first Minister and other members of the Government were at Montreal, I say it would not have been a very great stretch of the imagination to suppose it was in accordance with their views.

I believe it was the intention then of all parties to have had a meeting on the 13th of August as their leading journal, the *Montreal Gazette*, and other journals in Ontario and Quebec, gave the 13th of August as the time when the Committee should come back and receive fresh life and vigour, before it should proceed further.

It is quite clear that when the Committee adjourned at Montreal it was upon the express and written agreement that they should come back to this House in August; but, Sir, were the members of the committee present? Was there any member here with his report, or to explain what had been done at their meetings, or to step forward and redeem the pledge made to me, to you, and to this House, that they would be here on that day to give an account of what had been done in the past? No, they were not here, but there were fourteen members of this House, who had formerly acted in accord with them. Because these fourteen members presumed to memorialize His Excellency that the pledge of the Committee, the pledge of the press, the dictates of reason and justice, might be fulfilled, they must be called traitor and other vile names.

In my own constituency, on the 14th of August, they were not at all sparing in their opinions with regard to my presumption in exercising my best judgment. I have informed my constituents that they would not be responsible for any portion of my conduct, and that, while I was proud of representing them in Parliament, I thought still more highly of my own self-respect. (*Applause.*) I also told them I would not sit there beyond the time I could exercise an independent vote.

An hon. member asks me why I don't resign. My answer will be that which it has invariably been since the time I signed the memorial. If it can be shown that my position is such that I ought to resign, I have stated out of the House and I will state here that I shall not shrink from it if I find it is my duty. I have consulted with several gentleman, and stated that I must do what I believed to be my duty or resign my seat. The invariable answer was to exercise my own judgment and account to the electors afterwards. They advised me not to resign. I have shown that the adjournment of the Committee in Montreal was for the purpose of coming back here for this House to exercise its functions on that day.

Up to that time no evidence has been taken or appeared to substantiate the charges made by the hon. member for Shefford, but on the 4th of July, nearly six weeks prior to the 13th of August, strange and startling developments were hurried into public notice. On that day a sheaf of letters, written by Sir Hugh Allan, was given to the press; these letters developed an astounding state of public immorality, the whole country was panic stricken; men looked at each other in silence; Ministerial supporters settled down into an opinion that these letters were false, gotten up for the occasion, but the suspense was not long. On the 5th of July Sir Hugh Allan, over his own signature, under the solemnity of an oath, swore that these letters, with some slight discrepancies, were true. He swore that in the autumn of 1871 he received the names of McMullen and Smith from the then Finance Minister of Canada, Hon. Sir Francis Hincks. He swore that he entered into negotiations with these men for the procuring of the Pacific Railway charter. He stated that he was shown a telegram dated the 26th of July from Hon. Sir John A. Macdonald to Sir George-É. Cartier, in which he (Sir Hugh Allan) was secured in the presidency of the Pacific Railway. He stated that Hon. Sir Francis Hincks had told him that the contract should get let by tender, but that through his great influence, money and power, they were compelled to come to his terms to give him the charter with fifty millions acres in land and thirty millions in gold. He stated to his American friends that they would have to go it blind on the subject of money, and he could get no vouchers at all for money paid out by him. He stated that Mr. McMullen had entered into negotiations to secure the inferior members of the Government, but he discouraged this feeling; that it was only powder and shot thrown away. He stated that as late as the 14th of September 1872, after the elections were all over, he had expended \$343,000, and had \$13,000 more to pay out.

Mr. MORRISON: What did you get?

Mr. GLASS: I did not get one cent. I do not think the hon. member for Niagara (Mr. Morrison) could speak quite so certainly on that subject. (*Laughter and applause.*) The hon. gentlemen asks how much I have received. I can tell him that David Glass has never received the value of sixpence from this or any other Government, and he has never been insulted by having bribes offered to him. (*Renewed cheers.*) Can the hon. member for Niagara make a statement of that sort? (*Applause.*) I have no desire to draw the name of the hon. member for Niagara before this House but if hon. gentlemen do think proper to interrupt me by questions and remarks, which may fairly be construed into offence, then they must expect me to reply. (*Loud cheering.*)

On the 5th of July, Mr. Speaker, the affidavit of Sir Hugh Allan was published. From that time till the House was prorogued in August—a space of six weeks—ample opportunity was given for arrangements to be made for the meeting of this House for the despatch of business. In this way the matter stood up to the 18th July, and on the morning of that day George W. McMullen gave to the country a history of what he declared to be the whole of this transaction during its progress and up to its completion.

Before making any remarks in regard to that letter, let me ask who is this George W. McMullen? (*Hear, hear, from Government benches.*) I hear a response in all directions of hear, hear. The hon. member for Niagara is again enlivened on this point. (*Cheers and laughter.*) The question I have referred to is one of the deepest interest to the people of this country. I have not had the honour, Sir, if it be an honour, of even speaking to the gentleman. He has been pointed out to me on the street and from his personal appearance, I should not say he is a very dangerous man. He looks like a thoughtful, hardworking man, and so far as I can judge, I would not take him to be a very great rascal. I notice, however, that the press is greatly divided upon his good qualities.

All that is known of him so far as I have been able to gather from authentic documents is that in the spring of 1871 he was one of a delegation sent from the city of Chicago, to Ottawa, on the subject of the enlargement of canals. The great city of the West, the splendid commercial metropolis of the western States of the Union, with a population of over 250,000, thought proper to delegate this dreadful man to Ottawa on a matter of material benefit to Canada; therefore, coming amongst us at that time and under those circumstances, he was calculated to impress us with respect.

In the same year Hon. Sir Francis Hincks, the then Finance Minister of this Dominion, gave his name, along with others, to Sir Hugh Allan in connection with the Pacific Railway negotiations, and he soon became Sir Hugh's bosom friend. (*Hear, hear.*) He was the representative of one hundred millions of capital in this undertaking, and was surrounded by some of our Knights and honourable men, (*cheers*) petted, flattered, and called endearing names by the great Mogul of Ravenscraig, (*great cheers and laughter*) courted and sought after by the owners of gold, power, and unsold titles. Who has a right to question that he was the worthy representative of the wealth and knighthood of the two nations? (*Great cheers.*)

Of George W. McMullen I know nothing, except the few historical facts that present themselves in these letters and in this evidence, but I have heard him upon the floor of this House called a liar and a perjurer, a Yankee speculator, a Yankee curb stone broker, one of the Yankee ring, and a great many other similar names.

Can it be that this man's nationality is paraded as a reason for his condemnation? Who has the right to hold cheap the laws of hospitality and even handed justice, because one of the parties concerned chances to hold alliance to a foreign country? I know nothing of the man, I repeat, but after the manner I have heard his name paraded and his honour challenged, I think it my duty, on the floor of the Parliament of the Dominion of Canada, to say that we cannot afford to pander to any class, or to parade nationality as a ground for exclusiveness. (*Hear, hear.*) We do not disguise, and do not care to, that hundreds of thousands of our best and most enterprising citizens have, at one time, been resident in, and held allegiance to, the great Republic south of us. (*Loud cheers.*) They, with their enterprise, and capital, are building up manufactures from

one end of the Dominion to the other, and I for one, on the floor of the House, take the opportunity of saying that a man's country shall be no reason for his exclusion from places of trust and responsibility. (*Cheers.*)

I say, Sir, that the title Yankee has been attributed in the case with a view to obtain the man's condemnation; but Sir, to return to the statement which this McMullen gave in the press on the 18th July, a statement which he said he was prepared to prove was true in all respects. Appended to that statement were vouchers of a most important character. (*Hear, hear.*) Appended to that statement, Sir, were vouchers for the ten thousand and twenty thousand, but, Sir, these vouchers were only a supplementary character. They showed themselves that they followed some other large amounts, and the most charitable interpretation possible was that double that amount had been derived for the same purpose from the same source. The most important paragraph in the statements of Mr. George W. McMullen was corroborated by Senator Foster, who also corroborated the fact that the late acting Minister of Militia (Hon. Sir George-É. Cartier) had received \$25,000. Whoever Senator Foster is, the credibility of his testimony is most material to the establishment of this charge or the acquittal of those implicated in it. This we know of him, that he was elected to the old Parliament of Canada in '58, that he was elected to the Legislative Council in 1860; and in 1867, being a Conservative friend of the late Sir George-É. Cartier, he was elevated to the Senate. He is a man of probity and honour, and therefore, Sir, his statement by way of corroboration was material.

I confess, Mr. Speaker, that up to the morning of the 18th of July I was strongly impressed, as I was when they were made in this House, with the un-reliability of these charges; but when I compared that statement with the letters of Sir Hugh Allan, and the affidavit of Sir Hugh Allan, I say, Sir, that upon that morning, however reluctantly, I was forced to the conclusion that a strong *prima facie* case had been established (*cheers*), and Sir, believing that I would have been unworthy and unfit to occupy a seat on the floor of this House, if I were not true enough to myself and those around me to acknowledge the truthfulness of the fact.

Two or three times during the course of my remarks the hon. member for Niagara has interrupted me. I desire not to be personal with the hon. member, or with any hon. member of this House, but I have heard certain whisperings from the hon. gentleman in regard to myself, which I beg to say are without foundation in fact, and not to be indulged in. Something of the same kind had been attempted once or twice before, tonight, and I think it extremely desirable that if any hon. gentleman has anything to say in regard to me, that he stand up on the floor and make his statement, when I shall do my endeavours to answer him. (*Loud cheers.*) I have nothing to fear from that hon. gentleman, or from any other hon. gentleman on this side of this House. I certainly have nothing to fear from hon. gentlemen on the opposite. (*Hear, hear.*) The hon. member for Essex (Hon. Mr. O'Connor) gives one of his most complacent smiles and says "Hear, hear". I do not see that those gentlemen on the opposite side are so very dangerous that hon. gentlemen need

make any comment upon my remarks in regard to them. (*Hear, hear.*)

Sir, I am not aware that in giving this vote in accordance with my judgement, and because my judgement accords with that of hon. gentlemen opposite, there is any reason why they should not make such indications by applause or otherwise as show that we concur. (*Hear, hear.*) If we concur in judgment and they applaud my expression of that judgment, I suppose hon. gentlemen upon this side of the House will also exercise their right to express their disapproval. I am prepared to say that I have nothing to fear as far as hon. gentlemen opposite are concerned.

Sir, I repeat that on the 18th of July this statement of Mr. McMullen was given to the public. That was nearly four weeks prior to the time when Parliament was to have met, on the 13th of August. These developments which ought to have contributed to the reasons for the meeting of this House for the despatch of business, appear rather to have retarded the meeting of this House than to have hurried forward its assembling. We came here on the 13th of August, not for the purpose of taking advantage of the Government in anything, for I for one, in signing that memorial, desired to disabuse the minds of both the Ministers and the House that there was any understanding or agreement, that any business should be done on that day that would be detrimental to the Administration, but that, if necessary, an adjournment should be had in order to have a full meeting of the House and as full an opportunity for public expression or opinion.

When, Mr. Speaker, the 13th of August came and with it came the peculiar excitement attendant on the uncertain state of affairs on that day, the hon. members of this House thought proper to attach their names to a memorial to His Excellency the Governor General; then, Sir, the whole Ministerial press of the country sounded it loudly throughout this Dominion that we had been guilty of a gross breach of decorum and of the Constitution; but, Mr. Speaker, it was not so, as was acknowledged by the high-minded nobleman himself, who so ably fills the Vice-Regal Chair. That distinguished gentleman did acknowledge their importance. He received the deputation from the memorialists with the consideration due to their importance, and His Excellency regretted deeply that under the peculiar circumstances of the case, it would be utterly impossible for him to comply with the terms of the memorialists. This, I have no doubt, was the opinion given at the moment by His Excellency in regard to that point, but the State paper which followed was not the act of His Excellency, but the act of His Excellency's responsible advisers. I have stated my belief that it was the act of his advisers. The Crown itself had no right to act upon a matter of that sort without being under the advice of the responsible Ministers; and being under the advice of its responsible Ministers, then it is the work of the Ministers who are responsible to this House.

I was one of those who signed the memorial, and I have a right to speak on the subject. It will therefore devolve upon the Government to explain why the judicial functions of this House having been

invoked on the 8th day of April last, by the unanimous voice of the House; why these functions should have been superseded at the mere caprice of the Ministers. With regard to the portion of the reply which directs the memorialists to the fact that the unavoidable result of acceding to their request would have been that the Ministers would have had to retire from office, I maintain that the result was not warranted by the terms of the memorial (*hear, hear*) as an adjournment of the House for a short time would have been a satisfactory answer to the memorialists.

The 13th of August will for all time constitute a singular page in the history of this country, a page never to be repeated. The future would be oppressive to ourselves and our children if scenes like these could be looked forward to. The scene there enacted was a strange one at any time or amongst any people, but peculiarly strange to a young, fresh, vigorous country like the Dominion of Canada. On that day, the session suffered a violent death. In its place rose a new authority, to make room for which the session had been killed. This new authority assumed to inherit the rights and privileges of the dead Parliament, without any bequest having been made in its favour. It is for this undue assumption of power that that authority is placed upon its trial in this House, and all those who are to do so, have an opportunity of bowing themselves down to it, and they have an opportunity of prostrating themselves by giving a vote which strikes, to my judgment, at the very root of free government. (*Hear, hear.*)

I have no desire, Mr. Speaker, to detain the House further (*cries of "Go on"*) on this subject, but I wish to say that the Ministers and the persons accused with them are entitled to the benefit of every doubt from their enemies, and even more, if possible, from their friends. By a beneficent provision of British justice all are presumed to be innocent until they are proved to be guilty, and confessions even are not at all times regarded as the highest testimony (*hear, hear*), but when this is coupled with documentary evidence, with confirmatory surrounding circumstances, the case is conclusive. (*Cheers.*) It will be for this House, Sir, to say what is the presumption of innocence. I regret to say that the presumption is removed. If hon. members think similarly, then let all who stand in the pathway of the country's honour be removed rather than that the country's honour should be removed. (*Hear, hear, and continued applause.*)

Mr. Baker and Mr. Palmer both claimed the floor. The Speaker giving his decision,

MR. BAKER began by saying that it was his opinion that they had listened to the dying declaration of the hon. member for Middlesex East (Mr. Glass). (*Cries of "Oh, oh," and laughter.*) He announced that he was formerly on the best friendly terms with the hon. gentleman, and he promised that he could continue the pleasant relations. He considered that the hon. gentleman had made for himself a new departure, and he had also created a new departure in the department of constitutional law. He would be pardoned if he said that the constitutional law of the hon. gentleman was rather shaky.

He referred to the advice proffered by the hon. gentleman to His Excellency on the 13th of August, and said that it had been declined, but perhaps the hon. gentleman hoped by his change of policy to tender such advice to His Excellency in the future as he would be constitutionally in a position to accept. He paid a high tribute to the Governor General, referring to his speech at Halifax as one which, or a portion of it, should be printed in letters of gold. He defended the letter and abilities of the hon. member for St. John, who, he contended was able to defend himself, and to speak with authority upon any question, constitutional or otherwise, which might arise in this House. He concluded by saying that he had other remarks to make, but certain gentlemen not being present he would not do so.

Mr. YOUNG (Waterloo South) said he had heard the hon. member for Pictou (Hon. Mr. McDonald) deliver not a few able addresses in the House, but he never heard anything equal to the speech which he had delivered that day, for incorrect statements and illogical deductions. It seemed as if he had forgotten that he was addressing the Parliament of Canada, and acted on the principle of the attorney:—"No case, abuse the opposite side." (*Hear, hear.*) This subject had assumed a new phase since last session. The Royal Commission, partial, one-sided and farcical, as some of its proceedings were, substantially proved the charges brought forward by the hon. member for Shefford (Hon. Mr. Huntington). Not only was the evidence sufficient, but they had no justifiable excuses for their conduct, as shown by their own confessions.

The charge had been raised that the Opposition had been entirely opposed to the construction of the line of railway, but he denied that such had been the case. They had only been opposed to the manner in which the scheme was laid before the House by the Government, and it was evident that from its inception the Government had made up their minds to degrade the great national work, and use it as a mere political engine to keep themselves in power. (*Hear, hear.*) He had always felt it necessary to construct the great work, so that a great trans-continental bond of communication might be made between the United Provinces.

It was impossible to recollect all the facts revealed by the recent disclosures without seeing that the sale of the Pacific Railway Charter was carefully and deliberately planned by the Government for the purpose of obtaining money with which to debauch the constituencies at the last general elections. (*Applause.*)

He admitted that the Crown had a right to prorogue Parliament, but he desired they would remember that it was possible to do a legal thing in an unconstitutional manner, and it was because there was an intimate connection between the prorogation and the issuing of the Royal Commission which was made to supersede a Parliamentary investigation, which Parliament had unanimously decided upon, that the rights and privileges of this House were clearly trampled upon. It had always been the province of the House of Commons to investigate the charges against its Ministers.

The Speaker had alluded to the opinions of Mr. Goldwin Smith upon the prorogation. He was one of the highest authorities on

constitutional law, and considered it was the most flagrant violation of the constitutional rights and privileges of a British community that had been heard of for generations, and dangerous to the liberties of the people. He (Mr. Young) said the Speech from the Throne did not say one single word as to the innocence of the Government of the charges brought against them, and did not make a single expression in favour of their vindication.

He then alluded to the statement of the Ministerial press that the Commissioners were required merely to report and not give any opinions regarding the evidence, when the very reverse was found to be the case. He complained of one of the points in the despatch to Lord Kimberly, which stated that the Parliament ceased to prosecute the enquiry. It did cease to prosecute the enquiry, but only after it was summarily turned out of doors by prorogation, and it was adding insult to injury to give this as a reason for the further outrage of the Royal Commission. (*Cheers.*)

The Government throughout the whole enquiry had done everything in its power to prevent a full investigation. He considered that the judges who presided at the Commission took part in the breach of the privileges of the House, and tended by their partisan and farcical action during the investigation to degrade the Bench and make mockery of justice. The charges made by the hon. member for Shefford (Hon. Mr. Huntington) were practically substantiated. They had the fact brought out that the Ministers had importuned Sir Hugh Allan for money, which they received for the charter, and in the confessions of the Ministers themselves the amount of money they received was shown to be no less than \$162,000.

He maintained that no Government which had made such confessions could have a single day in England, and he would not believe that even in that House, which had been so corruptly elected, there could be found a majority which would approve of such shameless avowals. We were told there was not the slightest connection between the giving of the contract with the one hand and the taking of the money with the other. (*Hear, hear.*) He referred to the unparliamentary and vindictive manner in which the right hon. gentleman at the head of the Government attacked the hon. member for Shefford when these charges were first made, and reminded the House that when the hon. member at a later period and entirely in self-defence, attempted to read the documentary evidence in his possession, the right hon. gentleman immediately changed his tone, and changed it very greatly, the hon. member for Shefford being once more transformed into an honourable and trustworthy gentleman.

It would be easily remembered that upon the occasion of the attack upon Hon. Mr. Huntington, that the Prime Minister, even with the name of his Maker upon his lips, asserted his entire innocence of the charge preferred against him, but what was the fact? Why, that it was proved by the confession made before the Commission by the right hon. Minister himself that he not only received \$45,000 from Sir Hugh Allan, but was guilty of corruption that seriously reflected upon the honour of public men in this country. (*Cheers.*) He also reminded the House that when the right

hon. gentleman was making the declaration at the elections in Ontario that "these hands are clean" the same hands were engaged in penning the last call for ten thousand dollars more. (*Cheers.*)

He pointed out the utter absurdity of the argument that this money was a mere election contribution; and it was a very curious style of subscription he said where the subscriber did not at once put down his name for any stated sum; but paid away money as the requests or requisitions were sent in, until the amount reached the immense sum of \$162,000. Neither did we ever before hear of a case where a subscriber refused to advance a cent until he had received a written promise that it would be all recouped to him, and Sir Hugh Allan took good care not to pay a dollar of this money until he had the written promise of the Premier that he should be made president of the Pacific Railway Company. (*Hear, hear.*)

The quibble made use of in this particular by the hon. member for Pictou (Hon. Mr. McDonald) was really surprising considering the character of the gentleman who brought it forward, and especially considering the gentleman to whom his remarks were being addressed. In fact, to hear the pleading of the hon. gentleman, one would almost suppose that instead of a speech in the Parliament of Canada, he was making a passionate appeal on behalf of some criminal to the hearts and sympathies of a common jury. (*Loud cheers.*)

He (Mr. Young) did not think it necessary to prove that there was a mutual bargain between the Government and Sir Hugh Allan, and he contended that in England if a Minister of the Crown or a Government were found guilty of giving a great public charter to a public contractor and at the same time receiving from that contractor \$162,000, that fact alone would be sufficient to condemn that Minister, or that Government, in the estimation of the people and Parliament of England, and he did not think that we in this country should adopt any lower standard of morals than they observed there. (*Cheers.*) We were continually pointed to England for the examples which we ought to follow and if their example were to be followed in the present instance, these gentlemen would not be supported except by their own votes in this chamber. (*Hear, hear.*) The bargain was as much a bargain whether reduced to writing or not, for when men bound themselves to fulfil a corrupt bargain it was not generally written, but if ever they did they took always very good care not to register it so that the eyes of their fellow men could see it.

It was simply adding insult to injury for the Government to tell this House and the country, to use Hon. Mr. Blake's brilliant illustration, that whilst they were giving the charter to Sir Hugh with one hand, and taking his gold with the other, the right hand did not know what the left hand was doing. (*Hear, hear.*) In the now famous letter of the 13th July, there was a specific stipulation that "any money advanced by you or your Company will be recouped to you;" and there was not a single gentleman upon the other side of the House who would argue that the members of the Government ever intended to pay back this money. The thing was simply absurd, for out of their official salaries it would have been impossible for

them to repay \$162,000 during a lifetime. There was therefore only one way of recouping him, which was by the Government giving him the charter for the Pacific Railway, upon such terms as would enable him to repay himself. (*Hear, hear.*) Recoup himself in other words out of the pocket of the people of Canada. (*Cheers.*)

He (Mr. Young) was inclined to think that in this particular, at least, the Government acted in good faith. He was sorry to say that in spite of what had been said by the hon. member from Vancouver (Hon. Sir Francis Hincks), that the hon. gentleman appeared to very poor advantage throughout the whole transaction. He (Mr. Young) would not detail the House at this late hour by going into the details of the charter granted to Sir Hugh Allan and out of the provisions of which he was to recoup himself for the money he had advanced, but he thought he would be able to show that from the nature of the charter, there would be much danger of Sir Hugh failing to make a very handsome speculation of it.

He then reviewed at some length the extraordinary clause, giving the Company the right to choose their grant of land from the best portions of the North-west, instead of taking the land in alternate blocks good and bad along the route, thus taking up, probably, all the land in the territory that was worth having, and an area equal to four provinces the size of Manitoba. He also referred to the rest of the conditions in their order, adding that the terms, as to the character and grading of the road, were so loosely drawn up, that the road might have been placed in our hands in such a condition as to be practically useless. He spoke of the inauspicious circumstances under which Sir Hugh Allan tried to float the scheme upon the market, and said that gentlemen had no surveys, no estimate of the cost; not the simplest elements of the information with regard to the undertaking which capitalist would require, before embarking their money in it; besides, the impression was very general in England from the very first, that Sir Hugh and the Government had gone into the project in a corrupt way, in order to carry out their own personal ends more than to serve the requirements of the country. He contended that the action of the Government in taking money from Sir Hugh Allan under such circumstances was just as bad as if they put their hands directly into the public chest. (*Hear, hear.*)

He charged the Government, and he did so with regret, because it stained the honour of Canada, with having confessed themselves guilty to the charge of bribing the people of this country, and bribing them too, with their own money; and if this Parliament was going to solemnly sanction conduct of this description on the part of Ministers of the Crown, it would be better to decide at once that these Ministers should be commissioned to take money direct from the treasury instead of taking it from a contractor, and thus allow him to recoup himself at the public expense.

This last act, however, was only the continuation, as he hoped it would also be the collapse of the system of corruption by which the First Minister had maintained himself in power for the last twenty years (*hear, hear, and cheers*); and he made this statement boldly and fearlessly, notwithstanding the compliments and blandishments

heaped upon the right hon. gentleman by the members for Cumberland (Hon. Mr. Tupper) and Pictou (Hon. Mr. McDonald). He had always admitted the great ability of the Minister of Justice (Hon. Sir John A. Macdonald), his great suavity of manner, and his extensive acquaintance with the theory and practice of government; but if he was able to read his political course aright, and if he gave expression to the opinions of the people who sent him (Mr. Young) to represent them in this House, he would be bound to say that they considered him the most corrupt Prime Minister we have ever had in the country. (*Hear, hear.*)

He referred to the late Robert Walpole, of Britain, as a man much in the same position as that now occupied by the Prime Minister, and he contended that while the right hon. gentleman and his friends had for year and years told the public that to him was due the credit of carrying Confederation, he was the last leading public man to sign the report of the Committee in its favour, and only agreed when office was slipping from his grasp.

He referred to the miserable tactics resorted to by the Government in order to get new members to vote for them, and to show that they could not ask them to do so in accordance with any given principle, but for selfish ideas; but said that one of the new members had been disgusted by being told that if he did not vote for the Government he would not get the patronage of his county. He spoke of the necessity of purging the Government of this country

from the foul stain of corruption, before we could expect to be able to float our Pacific Railway scheme upon the English money market, and asserted that it was humiliating to hear the hon. member for Vancouver (Hon. Sir Francis Hincks), at his time of life, making such reckless and unsupported charges of corruption against members on this side of the House, considering the grave crime which had been brought home to the hon. gentlemen with whom he acted.

Deny it as they might, the Government now asked this House to make shipwreck of much that every country holds dear, as they asked that the sale of public charters, the corruption of the people, the infringement of our liberties, shall be solemnly sanctioned by the people's representatives; in short they asked that an open mockery shall be made of public virtue and public honour. He thanked God there was good reason to believe that this House had not sunk so low as that, and it must be the aspirations of every patriotic Canadian that our young nationality would emerge from the darkness and gloom of the present crisis with its old constitutional landmarks and public virtue re-established and purged of the presence of rulers who have disgraced their country and themselves. The hon. gentleman sat down amid loud applause.

Hon. Mr. WOOD then moved the adjournment of the debate and the House adjourned on the motion of Hon. Sir John A. Macdonald.

HOUSE OF COMMONS

Wednesday, October 29, 1873

The **SPEAKER** took the chair at 3.25 p.m.

Prayers

LAVAL ELECTION

The **SPEAKER** announced that he had received from the Returning Officer for the electoral district of Laval certificate of the election for the constituency of Alderic Ouimet, Esq.

At this juncture Mr. Ouimet was introduced by the Hon. Mr. Langevin and Mr. Masson. He took his seat amid loud cheers from the Ministerial benches.

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ELECTION COMMITTEES

A report of the Rimouski Election Committee was read, and, on motion, the Committee was allowed to adjourn until Thursday.

Mr. **BROOKS** presented the report of the Portneuf Election Committee, announcing that Mr. De Saint-Georges had been duly elected for the County of Portneuf, and that neither the petition nor the defence were frivolous or vexatious.

* * *

MANITOBA

Mr. **SCHULTZ** asked whether it was the intention of the Government to proceed with the distribution of the half-breeds' lands, and the adjustment of the hay privilege in Manitoba at once.

Hon. Mr. **TUPPER** said the Government had already taken measures for the immediate and prompt settlement of these questions, and officers had been appointed and were now engaged in carrying them out.

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ELECTION CASES

On the motion of Hon. Mr. **DORION** (Napierville) the order for the attendance of the members in the Perth South and Dundas Election Committees, the petition in those cases having been withdrawn, was discharged.

On the order of the day for M. Prévost to attend in his place and explain his absence from the Jacques-Cartier Election Committee being called.

Mr. **MILLS** read an affidavit, stating that Mr. Prévost was ill, and moved that the excuse be considered sufficient.—Carried.

On the order being read for Messrs. Joly and Flesher to attend and explain their absence from the Huron North Election Committee, both those gentlemen presented sworn statements, giving the reasons for their absence.

On the motion of Mr. **CHISHOLM** the excuses were accepted as sufficient.

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THE ADDRESS

The debate on the Address was then resumed by

Hon. Mr. **WOOD** who read an extract from the despatch of Lord Dufferin, expressing the feeling in the country respecting the Pacific Scandal, and the importance of the questions involved. He would attempt to discuss the great question fairly and dispassionately, and not follow the example of gentlemen opposite, who had resorted to the *tu quoque* argument, and had abused their opponents, calling them such names as organized hypocrisy.

Having adverted to the fact that the speakers on the Government side had referred to irrelevant matters in order to draw attention from the real issue, he preceded to say that there was not so much difference in the policy of the two parties as there was as to the means by which that policy should be carried out. Both parties desired to the Union of the Provinces completed, and the resources of the Dominion developed, but the means by which the Government sought to accomplish that were objected to by the Opposition, who had striven for an honest administration of the affairs of the country.

It was in this respect that the Government deserved condemnation. They had not acted upon any principle, but had used the patronage of the Crown, and the expenditure of money, to maintain themselves in power. We have, he believed, only caught a glimpse of the corruption that had taken place since Confederation. It had been said that the Opposition were opposed to railways and canals, but there was not a tittle of evidence either in the journals of the House or in public speeches to support that assertion.

On the contrary, the record was all the other way—the Liberal party had ever since Confederation been urging on the Government the enlargement of our canals, and the promotion of communication with the great Northwest. A side issue had been attempted to be raised by raising the cry that the documents in support of the charges had been procured by improper means. With that they had nothing to do now. If any crime had been committed the courts were open, and if the privileges of the House had been invaded let any gentleman oppose rise and formulate a charge.

Again, it had been said that it was improper to have published the evidence. He cited the case of charges against Major Beresford, and observed that in that case, Chief Justice Cockburn had caused the documents bearing upon it to be published. The same means were open to the gentlemen opposite. Their newspapers were prepared to publish anything they wanted; they have even gone the length of charging the Opposition with having received money from Jay Cooke & Co. and the Minister of Customs (Hon. Mr. Tupper) had not thought it beneath him to repeat that infamous slander, which was entirely and absolutely without foundation.

Coming to the motion before the House, he hoped it would be treated upon its merits. He pointed out that the charge with regard to the Americans was not that the Government had any negotiations themselves with them, but that they knew of Sir Hugh Allan's negotiations with them and approved of them. Hon. Sir Francis Hincks knew of it, it was admitted, and it was not to be supposed that, considering his intimate relations with the Premier, he did not also know it. The Government must, therefore, have known of the negotiations going on between Allan and Jay Cooke & Co., who were the financial agents of the Northern Pacific Railway Company, who were now said to have furnished funds for the Opposition.

He went over the evidence on this point and pointed out that finally when the Americans were excluded, it was owing to the strong public opinion against their admission, and which had been aroused by the Opposition party; but the essential part of the charge related to the alleged understanding between the Government and Sir Hugh Allan, and the alleged payment of money by the latter. This was a very grave charge, and nothing could please him more than to be able to believe by the evidence that it had been disproved. In this spirit he wished to examine the evidence.

He first took up the testimony of Mr. Beaubien and criticised the receipt that he gave Sir Hugh Allan, and called particular attention to his statement that he supposed Sir Hugh Allan expected to be reimbursed by the profits of the enterprise. He reviewed other portions of the evidence, arguing that at first Sir George-É. Cartier was opposed to Sir Hugh Allan, and that Allan brought him to terms by securing 27 members to support his views. Having secured these 27, he secured Cartier, and then he had the Government in his power. He went over the evidence bearing upon those important points, showing that they were conclusively established.

It has been said that Sir Hugh usually subscribed to the elections, but in all his language outside of the Commission Sir Hugh never

used the word subscribe. That was an invention of the Commission who were appointed to eviscerate this question. (*Laughter.*) And it was the line of defence adopted by the Government to make it appear that Allan only gave an ordinary election subscription. He (Hon. Mr. Wood) showed the absurdity of this contention, and said it was preposterous to believe that Sir Hugh would have given the large sum he did had he not first got the letter from Cartier promising to give him the contract.

But it was said that Cartier's letter was withdrawn, nevertheless Allan had all he wanted. He had Sir John's telegram assuring him that the Government would use all its influence to secure him the position of President, that this arrangement should be accepted at once, why at once if it was not that money was needed from Allan then to carry the elections? As bearing upon this point, he read Allan's letter of the 6th of August, telling his American friends that they had entered into an agreement with the Government, by which he was to get the contract. The Premier had argued, in his evidence, that this agreement referred to Cartier's letter which was withdrawn, but it was withdrawn long before the date of that letter and Sir Hugh expressly states in his evidence that he referred to the telegram from Sir John.

It being six o'clock the House rose.

AFTER RECESS

Hon. Mr. WOOD continued. He again took up Sir Hugh's letter of the 7th of August, and contended that the statement in it, that he had been promised upon certain monetary conditions, could mean nothing, but that he had to pay money for the charter. It had been said that these monetary conditions related to an amount of money the Company was to receive for the building of the road, but it was evident that could not be, because a little farther on in the same letter Sir Hugh goes on to explain the monetary condition in that sense, that is, that the Company were to receive \$30,000,000 of money for the building of the road. When Sir Hugh wrote that letter, the agreement then existing between Sir Hugh and the Government was Sir John's telegram promising him the Presidency, and the memorandum of Cartier stating the amount of money that was wanted. Sir Hugh had not only these documents, but he had the receipts for the money he gave out, and these documents were as strong as any Order-in-Council. (*Cheers.*) Every receipt given was a renewal of the original contract. (*Cheers.*)

He showed from the evidence that there was no essential difference between the telegram of Sir John and Sir George-É. Cartier's letter; and Sir Hugh, in accepting the former, while the latter was withdrawn, did not really lose anything essential. Sir Hugh had stated to the Commission that he could not trust his memory as to what had taken place a year or two before. He (Hon. Mr. Wood) would ask which was most worthy of reliance—Sir Hugh's slippery memory, or his own private record of it at the time? Was it to be believed that Sir Hugh had written to his American friends a parcel of lies? On the contrary, in his sworn

testimony, he does not say that the essential part of these letters, the bargain, was false. In order to show that the money was spent for the Pacific Railway Charter, he read from Allan's letter to the effect that he had arranged with his American friends for them to pay the preliminary expense, and he did receive from them \$45,000. These preliminary expenses could not mean the mere getting of a Bill through Parliament, because that would not cost more than \$100 or \$150. This \$40,000 must therefore have been used in the elections. What would the members for Prince Edward think if \$40,000 of American gold was introduced there to so influence public opinion as to bring about annexation? If \$40,000 of American money could be spent in Canada for the purpose of a public contract why might not four millions be introduced and spent here for the purpose of transferring the whole country? (*Cheers.*) It would not do to argue that Sir Hugh made nothing by the transaction. If the Government got the money, it did not lessen the enormity of their guilt that Sir Hugh may have lost.

He came next to the events connected with the investigation of the charges. He animadverted on the hurried disallowance of the Oaths Bill, and asked, if this Bill took its natural course, why was not the Senate Act of the same nature disallowed? He contended that the proper course would have been to have tested the constitutionality of the Bill in our Courts, or upon a case submitted to the Privy Council to be decided only after argument. Surely the Minister of Justice did not wish to have our legislation subject to the opinion of English lawyers. (*Hear, hear.*)

He argued that it had been decided that the Crown cannot give a Royal Commission power to administer oaths—that power could only come from the Legislature; and if our Legislature had power to give a Royal Commission authority to administer other, as they had, how was it, he asked, that it could not give one of its own Committee that power. (*Cheers.*)

He contended that Parliament should have been called soon after the letters of Sir Hugh Allan were published. When Parliament met, it was prorogued for the purpose of killing the Committee.

Mr. PALMER said he would not have addressed the House had it not been for the attack made on him by the hon. member for Middlesex East (Mr. Glass), but having got upon his feet he should endeavour to give what he considered the position of affairs. The hon. gentleman who had just spoken had abandoned the principles for the conduct of this case and had taken the proper course, but he (Mr. Palmer) could not agree with the principles of law laid down by the hon. member for the guidance of the House. He complained of the resolution that it did not meet the charge made by Hon. Mr. Huntington. He regretted that the questions had not been separated. It was a catch motion, made because the movers had not dared to propound the principle that the charge was proven. Now that the resolution was in the form it was, he did not see how members could avoid all the questions raised by the last speaker.

He would therefore first consider the matters that were undisputed. First, it was undisputed that there had been negotiations

between Sir Hugh Allan and the American capitalists, and that the Government knew of it, that was utterly immaterial and was no charge at all. The charge merely said that the Government were aware that negotiations were pending between Sir Hugh Allan and the Americans. Could this be considered a crime on the part of the Government? No, it was no charge at all.

The next charge, and the only charge, was that of corruption. This was certainly a charge, and a grave charge. Now, it had never been proved that Sir Hugh Allan had got the contract, nor was that advanced in the charge. The charge properly formulated was that the Government had made a bargain with Sir Hugh Allan to give him the contract, and if that was proved he had no hesitation in saying that the government were worthy of condemnation. But he had as little hesitation in saying that there was not a tittle of evidence to show that that was the case.

As to the expenditure of money at elections, he thought that it was time that this should be inquired into. Without wishing to make fish of one and fowl of another, he desired that a general inquiry should take place. But on this ground merely he could not vote for the overthrow of Ministers whose general policy had been such that no man could put his foot in the country unless he were a supporter of the Government. But however that might be, if it could be proved that the Government had sold anything belonging to Canada, they should be driven from power.

He next alluded to the disreputable course which had been taken by the desperate leaders of the Opposition. There were some historical facts in connection with this matter which he should like the country to know. The first of these was, as sworn by the hon. member for Argenteuil (Hon. Mr. Abbott), that the documents on which these charges were founded were stolen from his (Hon. Mr. Abbott's) office. Another historical fact was that a post letter had been stolen by these men. Another was that this G.W. McMullen, so much admired by Mr. Glass, had attempted to levy black mail on Sir Hugh Allan. Another was that G.W. McMullen, so ready to make charges, had, when called upon by the laws of this country to appear and substantiate them, refused to come before the Royal Commission; also that the hon. member for Shefford (Hon. Mr. Huntington) refused to appear before the Commission; also that the hon. members when offered a Commission refused to accept it in order that men like McMullen might not be sworn.

There was also another fact of an earlier date. The late Hon. T.D. McGee, while the eloquent strains of his voice were yet echoing in this House, was shot down in the street for no other reason than his political opinions. All these things were echoing through the country. It would be difficult to convince people that letters were stolen, and the post-office robbed and that there was no conspiracy.

Then as to Hon. Mr. Huntington and his refusal to appear before the Commission. He said that his reason for not appearing was that he could prove nothing. No one believed that he could prove the charges, but the hon. gentleman should at least have appeared and stated solemnly upon oath who he received the information on

which he based the very grave charges against the Administration from. This being the position of affairs, he thought that this question should be discussed in the manner laid down by the hon. member who had last spoken. It would appear that the object in this case was not so much to find out the criminal as to defeat the Government.

After referring to the objections raised on constitutional grounds, and the Royal Commission, and to the prorogation, he hoped that the subject had not been taken out of the cognizance of the House, which might create another committee to make inquiry, or might take the evidence taken before the Royal Commission as they thought best. It was not true that the Premier had created his own judge. He had had a voice in appointing the parties who were to take the evidence, but this House was the judge. The letter of the hon. member for Shefford to Judge Day proved that he thought that gentleman was too honourable to be on the Commission. The letters written by Sir Hugh Allan between the 16th and 31st July were no evidence whatever in the charge against the Government. He would

like to know how much of the \$40,000 it would take to become all right with the *Globe*. Gentlemen opposite did not like to hear this applied to the *Globe*, but they did not object to have it applied to the Premier. In the letter to his American friends Sir Hugh stated privately with reference to the \$40,000—that he was “all right with the *Globe*,” but there was no positive statement in those letters in reference to the Government. The Opposition was glad to take one part of Sir Hugh’s evidence and leave out of the question the rest in order to make good their charge against the Government. Sir Hugh said distinctly in his evidence that he had no agreement, either verbal or otherwise, or through any person acting for him, with the Government or any member thereof, in respect to the Public Railway contract.

Interruptions having been frequently made by members of the Opposition. Mr. Palmer moved the adjournment of the debate.

On motion of the **Hon. Sir JOHN A. MACDONALD** the House adjourned at 11.35 p.m.

HOUSE OF COMMONS

Thursday, October 30, 1873

The **SPEAKER** took the chair at 3 p.m.

Prayers

ELECTION COMMITTEES

Mr. MILLS presented the first report of the Jacques-Cartier Election Committee, declaring the sitting member Mr. Laflamme duly elected.

Mr. JOLY presented the report of the Huron North Election Committee, asking leave to adjourn till the 13th of November. Leave was granted.

Mr. BABY presented the report of the Maskinongé Election Committee, asking leave to adjourn till the 6th of November. Leave was granted.

Mr. KIRKPATRICK presented the report of the Quebec Centre Election Committee, asking leave to adjourn till the 4th of November. Leave was granted.

* * *

CUSTOMS OFFICERS

Mr. BLAIN asked what instructions have been given to the Customs Officers at railway stations where such officers are located, and particularly what instructions have been given to the officers at the port of Windsor, as to the time within which they shall attend to inspect travellers' baggage.

Hon. Mr. TUPPER said he was not aware that any special instruction had been given.

* * *

THE ADDRESS

Mr. PALMER continued the debate on Mr. McDonald's amendment to the motion of Hon. Mr. Mackenzie. The question of adjournment of the Committee on the 2nd of July, having been resolved upon by the House, could not be re-opened and the

government could not be blamed for that act. His hon. friend who last spoke appeared to think that it would have been perfectly fair to have gone on in the absence of certain persons charged. Certainly his hon. friend, when he urged this, could not have thought of the fact that these persons absent were the principal accused.

What should the Government have done on the 13th of August? On the 2nd of July it was perfectly clear that the Committee could not fairly go on with the inquiry, or in the manner directed under oath. It was evident, too, that the House, if called together, could not have remedied the matter unless the English Law Officers of the Crown were wrong, and from their decision it was impossible to appeal. Therefore had the House been called together a million and more of dollars would have been expended, and really nothing further could have been done than was done before. Had the Government done this they would have been derelict of duty. It was their duty under the circumstances to provide some fair and honourable way in which the inquiry could be made, and it was the duty of the hon. gentlemen opposite to have assisted in this.

He had cast about for some other way under heaven whereby this inquiry could have been conducted, and he could find none. If it could be shown that this was not the best course, he would hold them responsible for it; but if this House thought that the inquiry before the Commission was incomplete, all that was necessary was a resolution to reopen the old committee, or a new committee, and therefore all the charges that had been made against the Government were of no effect.

He had been accused with having charged the Opposition with the crime of letter stealing and killing the late Mr. McGee. He was certain he had never made such a charge. What he had said was there was evidently an organization for the commission of crimes for political purposes, and that they had been committed for the purpose of assisting in the endeavour to drive the leader of the Government from power. Far be it for him to charge the members of the Opposition with crimes. He had therefore said that there was a feeling in the country that there was a conspiracy for the commission of crimes of this nature. Under these circumstances it would have been highly satisfactory had the hon. member for Shefford (Hon. Mr. Huntington), who had possibly been misled, appeared before some competent tribunal of inquiry, and have enabled the people to trace the source of these crimes, if possible, or to have at least cleared his skirts of any connection with them. He therefore thought that the hon. member for Shefford had made a mistake in not appearing before the Commission. As he had said last night the real point which it was necessary to prove was that the Government had entered into a bargain of some kind with Sir Hugh

Allan to sell or give him the contract, or something else belonging to Canada.

And now he would state the reasons which led him to believe that there was no evidence of this charge. He appealed to every hon. member of this House whether if Sir Hugh Allan had paid the money in a bargain, and had not got the contract he would not have complained. But where did they find any evidence that the promise was made? He found none. Even in the written evidence no such promise or bargain was made.

Now as to the argument of the member for Durham West (Hon. Mr. Wood). He had spoken of the rules which governed evidence in respect to fraud, but here there was no fraud. But supposing that there was fraud, did that help him to prove the agreement? Now, taking the letter, supposing that there was an agreement that the money was not to be repaid, but that it was given in consideration of the Pacific Railway contract, would the statement that the money was to be repaid have been put there? No, clearly not. It was utterly opposed to the hypothesis.

Coming further on, they had the witnesses examined before the Commission a great number of witnesses who must have been thoroughly cognizant of such an agreement. Well does Sir Hugh Allan say that there was such an agreement, and it would have been clearly to his interest to prove that such an agreement was made. But he swears in the most positive manner that no such bargain was made.

Then Hon. Sir Francis Hincks, had there been such an agreement, he must have known of it, and yet he did not. Even the hon. member for Durham West admitted that there was not. Surely Hon. Sir Francis Hincks could not be acquitted and Hon. Sir John A. Macdonald found guilty. Hon. Sir Francis Hincks swore positively that it was impossible that there should have been such an agreement. Mr. Abbott, another of the parties who must have known, swore that there was no bargain.

It was said that it was unfortunate that the negotiation should have been entered into before the election, but it was a well known fact that there was a rivalry between the leading capitalists of Ontario and Quebec, and therefore it was that Hon. Sir John A. Macdonald had laboured to effect an amalgamation of these contending factions, not to sell the charter to Sir Hugh Allan, but to unite the leading men in the two Provinces to join their forces and unite in this great work which was so vastly important to this country. Therefore he thought that it would have been most unfortunate had the Government not endeavoured to amalgamate the interests of these men before the elections, lest by the quarrels of the two factions the Government of the country for the next five years might be thrown into the hands of a minority. For all these reasons he would conceive it his duty to vote for the amendment of his hon. friend from Pictou (Hon. Mr. McDonald).

Mr. CARTWRIGHT rose amid cheers from the Opposition. He began by saying he had feelings of a very mingled character. It was

perhaps, too little to say that during his political career, or during his whole life, he had never felt so painfully the discharge of any duty as that which he now arose to perform. He did not suppose there was a man in the country who read with deeper regret the facts which were proved in the report of the Royal Commission, which he then held in his hand.

It was well known that he had for some time held opinion which differed somewhat from those of the gentlemen who sat on the Treasury benches with regard to matters of public policy. He had hoped that these might have grown less, but unfortunately the divergence of his opinion from those of the Administration had gradually grown wider and wider. He had never for one moment deemed that he would be called upon to deal with his right hon. friend on matters of so grave import as those which were laid before him here. He had not the slightest doubt as to the duty which lay before him today. Unsatisfactory as was the manner in which the Royal Commission had performed the duties entrusted to them, he proposed today as the basis of his argument to use nothing except what was freely confessed and admitted by the right hon. gentleman at the head of the Government in his evidence before the Royal Commission.

He did not in the slightest degree admit that there were not other grave matters, or that there were not important constitutional questions in which the Government were worthy of censure, but he said that for the purpose of his argument today he would confine himself to facts only, which every hon. gentlemen on the Treasury benches must admit the truth of.

These facts were these—that on a certain day and at a certain time therein named, the right hon. leader of the Government did receive large sums of money from Sir Hugh Allan, and that certain other members of the Government did receive large sums of money from Sir Hugh Allan for the purpose of aiding them in influencing the elections to this House, Sir Hugh Allan being at the time a contractor for one large and important service, as the hon. gentlemen well knew, and an intending contractor for a much more important work.

In his judgment, looking at the matter on this statement of the facts alone, the right hon. gentleman had been guilty of a grave crime deserving of the censure of this House. (*Cheers.*) He did not in the slightest degree admit that there were not other things that deserved censure, but he said the he referred to the sworn evidence alone. He was not going to make deductions, to state probabilities, but he was simply going to state facts, and say how those facts affected his mind.

The arguments which had been used on the opposite side were curious. He had sometimes, in the course of his reading, come upon some very curious passages of literature. He had read an argument as to how many angels could dance on the point of a needle; he has read an argument going to prove that two and two made five, et cetera, and he had heard since the opening of this debate, an

argument as to whether the facts stated did in themselves constitute a crime worthy of the condemnation and censure of this House. (*Hear, hear.*)

What did the motion placed in the hands of the Speaker, by the hon. member from Lambton (Hon. Mr. Mackenzie) say? Did it bring forward the charges of the hon. member for Shefford (Hon. Mr. Huntington)? No it did not. Putting them aside for the time, it took the facts contained in the evidence as sufficient for the time being and they were sufficient for the time.

It said that when the Minister of Justice (Hon. Sir John A. Macdonald) came forward and said that he, a Minister of the Crown, had violated the statutory law of the country, that when the man whose duty it was at the beginning of each session to move a resolution providing for the punishment of bribery and corruption at elections, when he had done this, that he merited the censure of this House. When a few days ago he had heard the right hon. gentleman move the resolution he could have wished for very shame that the reading of this resolution might have been postponed until after the conclusion of this debate.

He had heard it said during the course of this debate that this was the greatest crime that had ever sullied the fair name of this country. He was not quite sure that this did not correctly describe the case. It seemed to him that those members at least of the Provinces which formed old Canada would remember an occasion when an almost severer blow had been inflicted on the credit of this country. If they carried their memories back twenty years to the time when the measures relating to the Grand Trunk Railway were under discussion they would remember there were like scandalous charges preferred against the Government of that day, and that Parliament and they ought also to remember the fate which overtook that Government which was guilty of those practices. (*Hear, hear, and cheers.*)

He was not going into these old charges further than to say that if he were called upon at this time to decide whether looking at all the enormous injury that was done to the politics and the credit of this country by the mismanagement of this great Railway, enormous as the material benefits were which it had conferred on Canada, they had not been dearly purchased by the evils to which he had alluded. It had so happened that at the time these evils had arisen he was not in Canada, but was in a foreign country, and he remembered the comments that were made by the people by whom he was surrounded, about the acts of the men then at the head of affairs in Canada. He had then made up his mind that if it ever lay in his power he would punish these men for the wrong which they had done, and he had done all that he could to carry out that resolution. He did not regret it at the time, and he regretted it still less now; but, as he had said, the Parliament of that day had done its duty, and who was the man who had led his followers on to turn those men out of power, but the hon. gentleman who now led this House. (*Hear, hear, and cheers.*)

And now he had a word or two to say as to the various lines of defence that had been set up by hon. gentlemen on this matter. If he

were to designate these defences as sophistries he would be paying them a compliment, as a sophistry was at least something ingenious.

The basis of the defences were two-fold. First and foremost came this, that Sir Hugh Allan gave that money as a partisan, as a man deeply interested in the success of Government, as a man having interests to protect, and being afraid that these interests would not be protected should the reins of power fall into other hands. He was not going to quote Sir Hugh Allan's letters, but surely his letters were good evidence of what his views and intentions were at the time when he wrote them, and who could state that a man who wrote as Sir Hugh Allan did on the 16th of July 1872, was a man who was a partisan of either party, or of whom either party might be proud today. (*Hear, hear.*)

He would not, however, believe as was stated in the letter that there were twenty-seven members of this house who were base enough to conspire against a Government to whom they were deeply indebted. They had been asked what after all did Sir Hugh Allan get by all these expenditures. The question he took it, was not what Sir Hugh Allan got, but what did he expect to get. (*Hear, hear.*) It was shown by Sir Hugh Allan's letter of the 1st July, 1872, that then and for a considerable time thereafter Sir Hugh Allan did expect to get very considerable value for his money. In his letter of that date he said "I have had several letters from England, offering to take the whole thing up if we desire to part with it, but it looks to me to be too good to part with readily." (*Hear, hear.*) Sir Hugh Allan's move was plain and apparent on the face of it.

It might well be that in the keen encounter of wit, the right hon. gentleman at the head of the Government might have been too much for the commercial magnate. The legal diamond, so to speak, might have been too much for the commercial diamond. It was possible that like Shylock of old, though he got his bargain he was finally tendered his pound of flesh on terms that made it of very little use to him. (*Laughter.*)

If the question were one between the right hon. gentleman and Sir Hugh Allan alone, he should have exceedingly small pity, or regard, or remorse for anything that might have befallen Sir Hugh Allan. Between those two, he thought he was rightly served, and of all men in Canada Sir Hugh Allan was the last who should have been found conspiring against the right hon. gentleman and his late lamented colleague, Sir George-É. Cartier. It was well known that for a long time he was in receipt of a magnificent subsidy, for which he was largely indebted to Sir George-É. Cartier, and it was base ingratitude on his part to conspire against that hon. gentleman, and to use millions—a part of which at least he had obtained by the assistance of the Government—in endeavouring to overthrow them.

Unfortunately other interests were concerned, and in those interests, he thought, it was a very mysterious thing why letters of this importance were destroyed by Sir Hugh Allan. Perhaps the reason why he chose to remain dormant was that he hoped to wield these identical documents as means of extortion against men against whom he originally conspired. A line of defence, which he had

been sorry to see employed, was, not that the Ministers were not guilty, but that others might be as bad. When the proof was brought they would deal with others as he hoped the House would have honour enough to deal with these hon. gentlemen.

He was not going to say that there was not a great deal of bribery and corruption in this country. (*Hear, hear.*) He was not going to stain his lips with one word that he believed to be false, but every man who had had practical experience of the matter knew that the evil was one that might to a great extent be repressed by the simple expedient of referring these elections to a judicial tribunal instead of to the tribunal now in vogue among us. It did not become Ministers to bring forward that argument when they themselves refused to adopt a law which would have practically abolished the evil. He was prepared to make very large allowance for the position in which Ministers were often placed on the day of battle, and elections were battles to all intents and purposes. Things were done and said which all of them repented of in their cooler moments, and he should not feel disposed to deal so hardly with hon. gentlemen on that account. To a certain extent it was possible that in the early stages of this matter they might have been victims rather than accomplices.

He was inclined to think it was part of the scheme of the hon. gentleman at the head of affairs to give this charter to Sir Hugh Allan, and that when he was assailed by that commercial magnate, with pistol at his head, he yielded reluctantly and unwillingly.

He judged that according to Sir Hugh Allan's own statement, the intention of the right hon. gentleman was that the Government should form its own company to carry on the work under the orders of the Government, according to the views of the Government engineers, with money furnished by the Government. He gave the Government the benefit of the doubt. It did not affect their subsequent conduct.

Now he came to a point on which he must crave the indulgence of the members on that (the Government) side of the House. He admitted their position in the matter, was of very great difficulty; he might almost say their position was one of the hardest and most difficult in which public men had ever been placed since Canada was a country. He knew the force of party ties. He admitted frankly that party fidelity was a matter of the first necessity in carrying on a Government such as ours. He knew something of the deep attachment to the leader at the head of the House which actuated, and fairly and honourably actuated hon. gentlemen here, (*hear, hear,*) and he admitted that the right hon. gentleman had many high personal qualities, which accounted for the extraordinary personal attachment which he had inspired. (*Hear, hear.*)

There was no reason why he should not pay this tribute to the rare ability of that right hon. gentleman, and to the long and varied experience which he possessed. (*Cheers.*) Why he was a distinguished politician at a time when some hon. gentlemen, who were supporting him today, were in their cradles, some of them not even born. He had always readily admitted that the right hon.

gentleman was a man of great charm of manner, and that had been in no small degree the secret of his success. He also acknowledged that the Parliament did not contain a man who in his own personal individual capacity, but in that capacity alone he was sorry to say, was more unsordid and unmercenary than that right hon. gentleman—(*hear, hear*)—and also that although his good qualities had been marred and appalled by conduct, which he deplored, yet he had rendered good service to this country. (*Hear, hear.*)

It was, to his mind nothing short of a national calamity that members should be called there to deal with such charges affecting a man of the rank, talent, and services of the right hon. gentleman. He knew of but one greater calamity that this country could be called on to endure, which was that after what had passed that his high rank and long services should shield him from the punishment, which he must say he deserved—(*hear, hear*)—from the Opposition benches.

The member for Brant had compared the position of the right hon. gentleman to that occupied once by Lord Bacon, the Lord High Chancellor of England. In one important respect at least his great English prototype was worse than the right hon. gentlemen, as he had sold justice for mere bribery, not, as in this case, taken money from a third party to preserve himself in power. He drew a distinction when he said that the fault of Lord Bacon was a far greater, or, at least, meaner fault than that laid to the door of the right hon. gentleman at the head of the House, and, if his memory did not fail him, he thought the conduct of the English House of Commons and the House of Peers on that occasion might well afford a model for them, because so soon as Lord Bacon had confessed his fault, both Lords and Commons seemed to have dealt with him in as easy and gentle a manner as possible, though they could not allow him any longer to retain the great post which he had occupied.

He (Mr. Cartwright) held that the right hon. gentleman had committed a grave political crime, which he was sorry to say could only be atoned for by practical banishment from political life. (*Oh, oh, and a laugh.*) His conduct deserved the deep, severe censure of the House, but as far as he was personally concerned, if he were asked to say that he himself individually must be branded as infamous, he demurred. There were good reasons why that should not be alleged against him.

He was aware that in what he was about to say he was going to touch on somewhat delicate and dangerous ground. He admitted that this offence, great and grave as it might be, was committed in the heat of battle. That right hon. gentleman was under very considerable temptation at the time, with ruin threatening on one side, and treachery among his supporters, assailing to a certain extent, on the other, and although he could not condone the offence, still, to a certain extent, he could understand it. Moreover he believed that the hon. gentleman was here now in this painful position, and he knew him too well not to know that it was a most painful position for him, and that he felt it most acutely and bitterly, and that he was here to a certain extent as a political scapegoat for

the sins of others as well as his own. The faults and follies of twenty years were now finding their punishment.

His (Mr. Cartwright's) position in the House for ten or twelve years had been that of a looker-on rather than an active participant in the great political struggles as a partisan. For many years back the standard of political morality had unfortunately been exceedingly low. Neither party was wholly free from blame in these matters, and one main cause of the present unfortunate condition of things was to be found in the indiscriminate abuse which had been heaped upon our most distinguished public men on both sides of the House by both Parties in this House. (*Cheers from Ministerial benches.*)

And if this Government, in spite of the evidence, were sustained, if hon. gentlemen were found to vote in the teeth of the fact, in the teeth of their own consciences, one great reason why the Government would be sustained would be this: that unfortunately that evil to which he had referred had so greatly demoralized our public opinion that it was almost impossible to elicit a healthy public indignation against such affairs as these hon. gentlemen were charged with. There was never an unjust charge made against any man for which he could not obtain redress, however, it might be disproved, which did not have a bad effect on that man. (*Hear, hear.*) It was only because he saw clearly on the evidence of the right hon. gentleman himself that he was guilty.

He would address one word to these gentlemen who represented the press of this country. They were about to do what they could to repress the great and crying evil of bribery and corruption throughout this country, and more particularly in elections. But if any good result was to come from these labours of a high standard, if public morality was to be attained, the fourth estate must cooperate with the third estate, and must learn that misrepresentation, slander and calumny could not be used on one side towards the other side without grave injury to the interests of the country. (*Hear, hear.*)

It was more than possible, knowing as he did the right hon. gentleman at the head of affairs, that if he had been in some respect more generously dealt with at some portions of his career, if the good he had done had been more fairly admitted, the better side of his nature might have prevailed, and he might have been spared the pain, shame and disgrace of having today to deal with this matter.

It was one of their objects at Confederation to raise the standard of political morality among public men, and to a very considerable extent he believed the object had been achieved for the time. He saw now a very great danger of a relapse and in such case it was hardly necessary to say that the last stage of the patient would be seven-fold worse than the first. It had been truly said that this was not and ought not be treated as a Party question.

It was a clear issue of right and wrong upon which every man was called to pronounce his verdict according to the facts, and he took the liberty of saying that if the hon. gentlemen on the

Government side were capable of rising above the mere interest of the hour they would feel that it was their duty and their interest not to endorse or condone this wrong. If they did endorse it they would seal not merely their own political fate, which many would do for the sake of their leader, but would seal the political death warrant of their whole party. He said that party prejudice must be thrown aside in considering such a grave and important question as the present, and a practical view of the whole subject must be taken. He thought if the view of impartial parties were taken it would be seen that the case was against the Government.

He referred to the views of the English press. He was not prepared to say that he was going to take the diction of the English press on Canadian matters with which they were not acquainted. At the same time, go to that press and look at the articles in them on this question, and it would be seen that they did understand that the Government had got money for the elections, and that they had denounced them for it. In the *Standard* of a late date he read that the leader of the Government and his colleagues had been guilty of such conduct as was deserving of severe censure, but that they were not personally corrupt in their conduct, and he fully endorsed this opinion.

It was very unfortunate that in discussing this question, the circumstances were so painful, in that they affected the honour of the gentleman at the head of the Government; but this was no ordinary occasion, and every man here knew that the House was called in a great extent to conduct the trial. He could not understand that any honest man would say that the First Minister (Hon. Sir John A. Macdonald) was right. He had violated the law and the privileges of the House by taking money from a public contractor, which, according to his code of political ethics was not justifiable.

But the men to whom he particularly spoke were those who, feeling as he did that these things were wrong, were yet distracted between their devotion to their leader and their duty to their country. It was those that he asked to give a vote for once as they believed right and not as Party demanded. He said it was a cruel choice of a line for those gentlemen. They should have been spared that choice, and their leaders should not have exposed them to such a vote. Some other issue should have been taken on which to decide whether the Government should retire or not. As to the position of that Government here, he might tell hon. gentlemen that that position was utterly untenable.

As he had said before, he looked upon this rather as a court than as an ordinary Parliamentary inquiry. Hon. members were called here to give their decisions in accordance with the facts, and statements laid before them. If there was any hon. gentleman who disputed the facts he put before the House, who would say that he had endeavoured to charge anything against the hon. gentleman at the head of the Government that he had not sworn to himself, then he would not ask that hon. gentleman to vote as he did, but if these facts were true then it was their duty to vote these men down. He could come to no other conclusion whatever, but that the leader of

the Government was guilty of a high crime, and was deserving of the censure of the House. That was his opinion. He could accept no other verdict than guilty. Guilty it might be with a recommendation to mercy, but guilty all the same.

Mr. MACKAY remarked that the gentleman who had just sat down had very ably expressed his own opinion in the matter, but he felt he would not be doing his duty to his constituents if he did not make a few remarks. He felt that he had a difficult step to take, but he had to decide between his feelings of duty to his constituents and the country and his feelings of duty to his party, and he was inclined to think he was bound to do his duty to his country.

With regard to the act of prorogation, in his opinion the Government were not liable to censure for having prorogued the House, because it was very well understood that no duty was to be done on that day; but the right hon. gentleman, knowing the circumstances of the case, should never have made such a promise to the House.

With respect to the Royal Commission, he considered it a violation of the rights and privileges of the House. The investigation of the case had been left to the House, and it was, therefore, a violation of their privileges to take it out of their hands. As regarded the main charge itself, he contended that it was proved against them by the evidence of the right hon. the leader of the Government himself, who admitted having accepted money from a public contractor. He felt, therefore, that it was his duty to vote for the amendment of the hon. member for Lambton (Hon. Mr. Mackenzie).

He felt it very deeply the position in which he was placed. He felt he had a duty to perform, but at the same time he felt he had to cast aside certain party connections, because he felt he could not consistently do his duty and maintain his honour, and any longer support the party with whom he had been heretofore associated. (*Opposition cheers.*)

Mr. ALMON: Hear, hear.

Mr. MACKAY: The hon. gentleman has called "hear, hear", and if he felt disposed to follow his example, he could fully appreciate his conduct. (*Laughter.*)

His (Mr. Mackay's) duty lay in one direction, and his party feelings in another, and he did not feel inclined to sacrifice his sense of duty to his party feeling. (*Cheers.*)

There were several questions before the House, which it might be desirable for him to touch upon. There were especially one very important question, and that was the act of prorogation. In his opinion the Government were not liable to censure for having prorogued the House, because, as he understood it, there was not to be any business done on the 13th of August, but he must say that when he came to reflect on the statement of the leader of the Government, that there was no business to be done, that the hon.

gentleman must have assumed the report of the Committee would have been favourable to them. He took it that it was rather unwarrantable for the hon. gentleman to take it for granted that no business would be done. He looked upon prorogation as an infringement on the rights and privileges of the House, which had descended to us, and which it was their duty to transmit to their successors unimpaired. (*Cheers.*)

His opinion was that this enquiry, having originated in the House, it should have been continued and concluded there. The Government had no right to interfere with the action of the House, and, moreover, it was unseemly that the Government, charged with grave crimes, should have the appointment of the tribunal to try them.

With reference to the charge against the Ministry, that they received money from a public contractor to influence the elections, he could come to no other conclusion than that, according to the evidence produced, the charge had been proved. (*Cheers.*) He had come to that conclusion after mature deliberation, and nothing could induce him to alter it.

It seemed to him that the evidence was very conclusive, that Sir Hugh Allan at the time was an actual contractor under the Government, and that he was anxious to secure the control of the Pacific Railway. He did not think he would be justified in coming to the conclusion that they had sold the charter, but when he took into consideration that Allan was a contractor, and was also seeking the Pacific Railway charter, he could come to no other conclusion than that the Government had no right to receive the money under the circumstances. It would give the Government undue influence in elections if they were allowed to receive money from public contractors. What chance would the Opposition candidates have against such an influence? He took it that the same law and the same consideration that was applied to individual members of Parliament in case of a contested election should be applied to the Government. If it could be proved before an Election Committee that the member whose case was being tried had received money from a public contractor to carry his election, does any one suppose that the committee would not unanimously declare him unseated, and if no hon. member could take his seat after such evidence, should they allow members of the Government to retain their seat, they having received money from a contractor and used it for the purpose of influencing the elections?

The member for Pictou (Hon. Mr. McDonald) had endeavoured to make it a question of the personal honour of the Premier. He did not look upon it in that light. The question affected the political honour of some members of the Ministry, but not their personal honour.

With regard to the amendment, it admitted there was corruption on both sides of the House, but he could not see that there was evidence before the House to show conclusively that there was corruption on both sides (*cheers*). He might have his opinion about it, but there was no evidence. There was no evidence before the

House to show corruption on the Government side outside of the Ministers and it was not right to charge members on either side of the House with corrupt practices where no proof existed; but it had been shown conclusively that the members of the Ministry had received money from a contractor and made use of it to influence the elections.

In conclusion, he must say that he felt that not only his constituency and his province, but the people of the whole Dominion, had their eyes fixed upon this House, and were anxiously watching the course that would be taken on this very grave matter. The way in which this question was settled, would not only affect us but the country for a long while to come. It was their duty, and a duty they could not shirk, to show to the country that they felt the position, and that they were determined to do their duty regardless of consequences, regardless whether the Government were defeated and the Opposition came into power. That was not the question of the hour; the question was whether the members of the Government had received money from a public contractor to carry the elections. In his opinion that had been proved, and it was his intention to vote for the amendment to the Address. (*Loud Opposition cheers.*)

Mr. KIRKPATRICK said the principal reason for his speaking at this time was because some allusions had been made to himself, in such a way that much as he deprecated the introduction of personal matters upon the floor of this House, he thought he would yet be justified in breaking the rule up in this occasion. That reference was made by the hon. member for Lambton (Hon. Mr. Mackenzie) when addressing a meeting in Nova Scotia, and if that hon. gentleman was not incorrectly reported he had detailed the remarks by him (Mr. Kirkpatrick) on the 13th of August in such a way as to convey a wrong impression.

That the hon. gentleman stated that he (Mr. Kirkpatrick) being a Government supporter, entirely concurred with the memorialist of the 13th August. He detailed the circumstances under which he was brought into connection with the leader of the Opposition upon that occasion, when he refused to sign the memorial, which was a plain proof that he did not agree with its signers. That reason was that at the time he objected to sign any petition connected with his position in Parliament, the floor of that House being the only place where he should express his opinion upon any matter concerning this country's business, and that the memorial was unnecessary if the Government were not going to advise prorogation; on the other hand if they were going to advise prorogation, the Governor General must accept it because otherwise he would express virtually want of confidence in his ministers, and dismiss them.

The hon. member for Lambton replied that they were under a ban, and could not be fit to advise His Excellency. From this opinion he (Mr. Kirkpatrick) dissented, although at the same time he expressed his agreement with the terms of the memorial. (*Opposition cheers.*) He said if the same circumstances arose again, he would express the same opinion. (*Cheers.*) He would allude, he

said, to the novel doctrine of the hon. member for Lambton, as given expression to on that occasion.

Hon. Mr. MACKENZIE said he had not seen the report upon which the remarks of the hon. gentleman were founded, but what he said upon that occasion was that the hon. gentleman had stated that he thought that Parliament should not have been prorogued, and that he would go to the Government and represent his views to them, although he would not sign the protest.

Mr. KIRKPATRICK said this statement of the case by the hon. member for Lambton was perfectly in accordance with the fact, and he proceeded to give the same reasons as those deducted by the memorialists for having held that opinion. He declared that the memorial was a carefully and craftily drawn document, and framed for the purpose of enticing members upon that side of the House into an alliance with the Opposition; but, while he confessed to having agreed with the memorialists as to the matter upon which they had petitioned His Excellency, he would also remind hon. gentleman that he always held that charges should be investigated by a Royal Commission.

When, therefore, according to his promise, he went to the Government upon the 13th of August, they told him that in this respect they would fully meet his views, and that within the next few weeks a Royal Commission would enter fully and searchingly into the whole question. He had been charged with having been present at the meeting, and he explained that although that was quite true, it was also true that he went at the special invitation of the hon. member for Quebec Centre (Hon. Mr. Cauchon), and upon the express understanding that his presence would not be taken as an indication of his sympathy with the opinion that might be there expressed.

The Prime Minister had been charged in the House and out of the House with all the crimes in the calendar, and the Opposition and their press had by their constantly crying wolf precluded the possibility of a belief in the present cry. On mature reflection, he considered the course pursued as to prorogation was the only course open to the Administration under the circumstances. It would not have been proper to have proceeded with the business in the absence of so many members of the Ministerial party.

He wished to give his reason for the vote he intended to give. He was painfully aware that very grave charges had been made against the Prime Minister (Hon. Sir John A. Macdonald) and he deeply regretted many circumstances which were displayed in the evidence before them but he did not believe that there had been established a crime which should drive the Government from power, and change and throw into political oblivion and infamy the right hon. the first Minister (Hon. Sir John A. Macdonald) and changed the whole policy of the Government they had sustained for many years past. They had no proof of corrupt intent on the part of the Government. What Sir Hugh Allan's intentions were they had nothing to do with, and there was no proof, he reiterated, of any corrupt intent in the

giving of the charter. He then at length referred to Sir Hugh's evidence, and proceeded to allude to the opinion of His Excellency upon the point.

Hon. Mr. MACKENZIE objected to a reference to the opinion of his Excellency.

The SPEAKER supported Hon. Mr. Mackenzie's objection.

Mr. KIRKPATRICK said he was going to read from a published document which had been laid before the House.

Hon. Mr. MACKENZIE: You can do that.

Mr. KIRKPATRICK then read from His Excellency's despatch that portion in which he announces his disbelief in McMullen having bribed his Ministers, and in which he speaks of the indications Sir John gave him of his desire to prevent Sir Hugh Allan from obtaining a commanding influence on the direction.

It being six o'clock the House rose for recess.

AFTER RECESS

Mr. KIRKPATRICK resumed the debate. When the Speaker left the chair, he was commenting upon a document which had been placed before the House, a document written by an impartial writer. He thereupon again read the letter referred to. It was his belief that neither had this bargain ever been made and that there was no intention to make it, and the *prima facie* evidence referred to was borne out by the sworn testimony of the witnesses. He then quoted from the evidence of Sir Hugh Allan, and said that that was borne out by all the other witnesses who had been placed upon the stand. Therefore that evidence being coupled with this *prima facie* evidence showed that no honest man could upon it vote to turn out the Government. (*Cheers.*)

Mr. PICKARD: Why was the money given?

Mr. KIRKPATRICK said that the money was undoubtedly given to assist the ministers in the elections, (*hear, hear and cheers*), and that he could not justify, (*Opposition cheers*) but he said that that would not justify them in turning out the men who were at present in power, (*cheers*) and in replacing them by the men who had done so much to place this country in the unfortunate position in which it now was. (*Loud cheers.*)

And now turning to the charge itself he contended that it was charged that the Government had sold the contracts to the Americans, and that he was justified in referring to the fact that the charge as made originally, that the contract had originally been sold to Jay Cooke & Co. for American gold. That had not been proved. (*Hear, hear.*) He complimented the hon. gentlemen opposite who had spoken for not having introduced personal matters into the debate.

Referring to the speech of the hon. member for Lennox (Mr. Cartwright) he said that if ever there was a time for the regarding of party ties it was the present. The hon. member had said that on the 13th of August he drew the sword and threw away the scabbard. He did this at a time when hon. Ministers had not been tried and when no one could have pronounced them guilty. The present was a time when the members should act with the utmost forbearance, not with that rancour which he feared too much actuated hon. members opposite.

He had exceedingly regretted the parallel which the hon. member for Shefford (Hon. Mr. Huntington) had attempted to draw by reading a passage from Macaulay's history in which the writer was describing the corruption and venality of certain Ministers of the Crown.

The hon. member had attempted to make out a case of personal corruption against the right hon. the First Minister. He regretted this extremely. If that right hon. gentleman had ever done wrong, if ever he had made a mistake, the charge was one which could not be laid to his door, and it would be well for this country if during the next twenty years the same could be said of the Prime Ministers of Canada who might follow him.

Mr. McDONNELL said that this was one of the most unfortunate questions that ever or could ever come before the Parliament of this country. It but showed the weakness of their cause when men approached a question with the invective with which hon. gentlemen opposite had approached this subject. They had sought to shelter themselves by attacking the members of the Opposition charging them with narrow mindedness and religious bigotry, a thing which he (Mr. McDonnell) was happy to say had but little existence in this country.

The hon. member for Cumberland (Hon. Mr. Tupper) had attempted to establish the innocence of the Ministry of which he was a member by accusing hon. members of disreputable acts and of disloyalty. He had charged hon. members with being annexationists because they were disunionists, but the fact was that many of the gentlemen in this House were disunionists. But did the hon. gentleman pretend to say that these men were all annexationists? Why the hon. Minister of Militia (Hon. Mr. McDonald) was a disunionist. (*Cheers.*)

The hon. gentlemen then referred to certain matters of Nova Scotia politics, censuring the hon. member for Pictou (Hon. Mr. McDonald) for an attack made by him on the member for Hants. If the hon. member for Pictou was so anxious for the punishment of bribery and corruption, let the hon. gentleman follow him (Mr. McDonnell) in the present occasion.

He would now proceed to refer to the matters before the House. He had read over this evidence and had watched every step taken since the motion of the hon. member for Shefford (Hon. Mr. Huntington) last session, and had come to the conclusion that there was but one course for this House to take. That was to drive

the present Ministry from power. (*Cheers.*) Take the fact that \$45,000 had been expended on elections in Ontario, could any one doubt that the expenditure of this amount of money indicated corruption. (*Hear, hear.*)

A doctrine had been enunciated by the Minister of Customs (Hon. Mr. Tupper) which it had pained him (Mr. McDonnell) to hear, and that was that it was right to spend money at elections. (*Hear, hear.*) The money which had been placed at the disposal of the Government was sufficient to have debauched the whole people of this Dominion. Hon. gentleman had said that Sir Hugh Allan's interests were sufficient to justify the enormous advance of money which he had made. Then the natural conclusion to be drawn from this was no matter how much greater Sir Hugh Allan's interests might have been, he would have been justified in making proportionate advances. This was the doctrine which was advanced by hon. gentlemen opposite. He would have no hesitation in voting for the motion of the hon. member for Lambton (Hon. Mr. Mackenzie's) as he thought it was sustained by the evidence in the report of the Commissioners. (*Cheers.*)

Mr. GRANT said that when he heard the charges made by the hon. member of Shefford (Hon. Mr. Huntington) last session he had supposed that had the charges against the Government been proved they would long ere this have been driven from office. But when he heard the speeches of the hon. members for Lambton (Hon. Mr. Mackenzie) and Shefford the other night, he was satisfied that the whole party on the other side of the House were convinced that they themselves had failed. (*Cheers.*)

This question resolved itself into two heads—men and money. He was sure that there was no member on the floor of the House who had not listened to the clear, eloquent, and logical speech of the hon. member from Pictou (Hon. Mr. McDonald), without admiration and conviction. He had felt proud to see the talent which an hon. member from the Maritime Provinces had shown. He was sure that the facts must have convinced every man desirous for the best interests of the Dominion that the statements made by the Opposition were futile. (*Cheers.*) He was satisfied that this question had been discussed on both sides to its fullest extent. An hon. gentleman who was known as the "thunderer of the West," had spoken for four hours, and although there was a great deal of thunder about his speech, he feared there was not much fire. He had failed to convince him (Mr. Grant) that his argument was going to turn a single vote on this question. (*Laughter.*)

With regard to the right hon. gentleman who had occupied so prominent a position in the political history of the country for the last twenty-five years, the hon. member for Lennox (Mr. Cartwright) had said of him that he had occupied a prominent position when many hon. members present were in their cradles, and he (Mr. Grant) trusted that the hon. gentleman might long continue to occupy that position. He was pleased to know that Prince Edward Island had sent some of her best men here, and he would tell these hon. gentlemen that had it not been for the men who were now guiding the destinies of this country, their Province

might still remain out in the cold. (*Cheers.*) And he would further tell these hon. gentlemen that in assisting the present Administration they had now an opportunity of showing that they were desirous of promoting the best interests of this country and in building up for it a name and reputation. (*Cheers.*)

Look at the Provinces of Quebec and Ontario. Did they not find that since the introduction of the principles of Confederation by the men at present in power that divisions of race had very materially decreased? Did they not find that the French and English elements were now blended? (*Hear, hear.*) That all questions of race had subsided, and that all were working harmoniously together for the common interests of the Dominion? (*Cheers.*) Hon. gentlemen should not allow such flimsy pretence as had been raised by gentlemen opposite to justify the driving from power of the men whose policy had done this? (*Cheers.*)

Then as to the Maritime Provinces. He had visited Nova Scotia recently, and what did they say there about Confederation? They said that they were enjoying a greater degree of comfort and prosperity than they had done at any other period in the history of their country. (*Cheers.*) If they looked at Manitoba, they found the same happy state of affairs existing there. (*Cheers, and derisive cheers from the Opposition.*)

Then if they looked at British Columbia, what did they see there? Their men came down satisfied. They saw that Ministers were doing their best to forward the interests of the country on the Pacific coast. They knew, as had been announced in the Speech from the Throne, that this Government had undertaken the construction of the Pacific Railway. They knew that they had encountered many difficulties in the carrying out of the undertaking, and the outlying Provinces might rely on it that this Administration would see that not much time was lost before the construction of this railway, which was to bind together the integral portions of this Dominion, was carried out. (*Cheers.*)

It had been said that the English press were very severe in their remarks upon the conduct of the Government. It was true that this was to a certain extent the case, but they found that no less a person than Mr. Goldwin Smith, who had recently come to Canada, notwithstanding what he had at one time written about it, had been writing in no less an authority than the *Canadian Monthly*, and had, it is true, also been severe upon the Government; but if they looked over a recent number of this periodical they would find that he said that the English journals were still very imperfectly informed in relation to Canadian affairs, and that they fall into many errors in facts relating to men and history. He was well pleased to learn, however that the English journals were taking a greater interest in Canadian affairs. What did they find when any great Lord or Duke came here to visit this country? Why, that they went home again surprised beyond measure with the progress and resources of the country, and we might rely upon it that each year would bring us more in contact with them, and would give us more of their means and money to assist us in developing our great natural resources.

Hon. Sir John A. Macdonald was the man whom hon. gentlemen opposite were desirous of hurling from the high position which he occupied. He would like to ask any honest, common sense man if, when he considered the political history of this country, if during all the time that he (Hon. Sir John A. Macdonald) had had control of the affairs of this country, he had ever appropriated a sum of money to his own personal use. (*Cheers.*)

He could speak of the right hon. gentleman, as, perhaps no other hon. gentleman could. He had known him in sickness and in health. He had an opportunity of watching the peculiar characteristics which had given him the name and reputation which he possessed. He possessed what he (Mr. Grant) could characterize in no other words than, in a kind of innate political diagnosis, as the power to see and anticipate the desires of the people. (*Cheers.*) He had seen him on a bed of sickness when he could not raise his voice above a whisper. What were the sentiments which he then expressed when each day that passed over he expected to be his last? What were his sentiments then? That though he was ready to die, his great aim and object for hoping to live was to see this country confederated and prosperous. Was it to be supposed for one moment that a person possessing his ideas would make away with the small sum of money which no less a person than Sir Hugh Allan had contributed as the best means for forwarding the interests of this country.

He had read with care the evidence given by Sir Hugh Allan before the Royal Commission, and had come to the conclusion that the money was given, as money was given in England and elsewhere, in order to assist in the best way he could the men in power. (*Cheers.*) Gentlemen opposite talked about corruption at elections, as if in no other country in the world money was spent at elections. Look at the history of corruption in other countries. Were ever any boroughs put up for sale in this country? Did any one in this country ever give seventy thousand dollars for an election? He said that the political record of this Dominion in regard to the means by which men gained power would compare well with that of any country in the known world. (*Cheers.*)

He was much amused in passing through New Brunswick. He had heard a gentleman talking about Canada. He had taken some pains to ascertain this gentleman's name, and had found that it was the Hon. Mr. Churchill, and this gentleman had said, in speaking of the Premier, that he thought that this man was destined by Providence to unite this country and build this railway across the continent. (*Cheers.*)

The hon. gentlemen opposite had seized this opportunity because they thought it a favourable one to obtain power and to grasp at the prestige which the measures initiated by the Government would give them. (*Cheers.*) It could not be said that Ministers had endeavoured to maintain place and power by stealing private letters and telegrams, (*hear, hear,*) and he could only say that men who tried to get place and power by such actions as they did would not be able to hold it long. (*Cheers.*) His chief aim in at present expressing his views was to say what he thought of these men. He was satisfied that the policy which the Government had inaugurated

was the best for the interests of this country, and he was certain that no class of men could take their positions and forward the interests of this country as they were now doing. (*Cheers.*)

With reference to this section of the country no men could have done more than they had done for the whole country, and they were, therefore, entitled to the gratitude of the men of this section. This was a most important period in the political history of this country. This was a time when certain hon. gentlemen were attempting to take positions which the time had not arrived for them to occupy. If they looked at the other side of the House they would see men of great ability. The hon. member for Bruce South (Hon. Mr. Blake) was, he knew, a man of great ability, and he believed of thorough honesty of purpose; and if he would bide his time, as all the best men had to do, he would probably occupy the position of an honoured Prime Minister. (*Hear, hear.*) He wished them honour and distinction in carrying on the affairs of this Dominion, but rely upon it that no man could overturn the Ministry of the day by the policy they were now enacting. He would only say, in conclusion that he had every intention of voting for the amendment so ably and well introduced by the hon. member for the county of Pictou (Hon. Mr. McDonald). (*Loud cheers.*)

Mr. CUNNINGHAM regarded this as a most important epoch in the history of this country. He took the ground that the Premier should not be made the butt of the House and the country in this debate. No speech had told so much against the Premier as the speech of the hon. Minister of Customs (Hon. Mr. Tupper), who looked forward to stand in the shoes of the Premier. The point on which he differed from the Government was that they committed an unconstitutional act in proroguing the House on the 13th August. It had been promised that the report of the Committee should be read, but no report was read. He believed the Ministry had attempted to delay the investigation, and it was hypocrisy for them to say they had endeavoured to push the inquiry forward.

In giving his vote in favour of want of confidence in the government, he did not consider the report of the Royal Commission, which was an illegitimate production. There was another point. Not one single promise made to the representatives of Manitoba had been fulfilled. If the Government had not deceived the men who were down from Manitoba the Confederation of that Province would never have taken place.

Mr. THOMPSON (Cariboo) characterized the amendment of the hon. member for Lambton (Hon. Mr. Mackenzie) as not capable of being understood. He would say in answer to the hon. member for Middlesex East (Mr. Glass) that he for one did not understand that hon. member's need to be present on the 13th August, and he accepted the word of the Premier as a sufficient guarantee. It had been charged that the Government had purchased members from the smaller Provinces, but in looking round this House he had come to the conclusion that if they had bought those members they had made good selections.

It had been said by the Opposition that the Government Party had been corrupt, but he might say to them that he that is without sin

amongst you cast them out. The Opposition had been the cause of the delay of one year in the construction of the Pacific Railway.

He then quoted the opinion of the *Globe* in 1862, of Mr. Glass on his defeat in that year whose course had been characterized as not unworthy by that paper then. He then quoted from the *Montreal Herald* a statement that the Manitoba members had been bought. He regarded the Opposition Party as most corrupt. Their endeavours to gain power had gone so far as to steal letters from the post office. If they did not steal the letters they received the stolen goods, and the receiver of stolen goods was as bad as the thief.

Mr. JOLY said he wished to refer to one or two points that had been but briefly touched upon. We had seen that the English press was turned towards us now, and though it was often said that English people did not care what took place here, he knew from recent experience that they did pay a good deal of attention to us. He was sorry that the question which had so much attracted their attention was this great scandal. Our reputation had hitherto stood well in England, but now it was said that we were as bad as the Yankees. He had always one answer to this, and that was, wait and see if Parliament will endorse this great crime. Seeing that there was pain and grief among the English people of our Pacific Scandal, he was surprised at what he saw when he arrived back in this country. He found the Government papers lauding the Government and justifying their course, and when he entered this House he found the member for Pictou (Hon. Mr. McDonald) not only defending the Government, but asking the House to declare confidence in the Government.

There were the four points he thought proved by the Royal Commission. First the Government had something to give which Sir Hugh Allan wished to obtain; second, that Government wanted Sir Hugh's money to help them in elections; third, that Government got Sir Hugh's money; and fourth, that Sir Hugh got what he wanted, or the next best thing to it. No one could deny that these facts existed, but it was said they had no connection. He showed the absurdity of that contention, and then adverted to some points in the defence put forward.

One of the chief points of defence was the abuse of the Opposition, and other irrelevant matters were introduced into the debate. He called attention to the statement of the member for Pictou, that there was not a particle of evidence against the Government. If that were so, why did not the hon. gentleman put it in this motion? (*Cheers.*) His motion did not meet the charges of Hon. Mr. Huntington at all. There was no talk about expelling Hon. Mr. Huntington, but instead of that the hon. member for Pictou asked the House merely to say that money had been spent on both sides. That did not meet the accusation. If that accusation had been disposed of, why not state it in the motion. The Government had evidently backed out of their position. They had given up their proud position of the complete denial of the charges.

He deprecated the personal appeal made in reference to the Premier in a discussion of this great question. He also denounced

the sectional cry that had been raised, the attempt to make it appear that Ontario wished to deprive the smaller Provinces of their rights. He certainly would not sit under the accusation that the whole country was corrupt. He denied that the universal corruption existed, but if it did, who was answerable for it? Was it the men who for the last twenty years had the control of the Government, or the men who in Opposition had been striving to get a pure election law? (*Cheers.*) Was any one so blind as to suppose there was no connection between the refusal of the Government to accept a pure election law and their subsequent corruption of the constituencies? He concluded by observing that on the result of this enquiry would depend our reputation in England. (*Cheers.*)

Mr. COFFIN said he addressed himself to the House upon this occasion for the protection of the integrity of his native Province and the honour and integrity of this whole Dominion. (*Loud cheers.*) In the first place he would dispose of a remark made by the hon. member for Cumberland, (Hon. Mr. Tupper) in which he charged upon the people of New Glasgow that they were not merely Annexationists and disloyal, but otherwise of a very questionable character. He (Mr. Coffin) should not do his duty to the people of Nova Scotia if he did not upon the floor of the House fling the vile charge back into the face of the hon. member for Cumberland, and resent the insult thus offered to his countrymen, (*loud cheers*) the people of New Glasgow, especially the Chairman of the Committee, referred to by the hon. member for Cumberland. Mr. Carmichael's reputation for respectability and loyalty was second to no section of men and no individual in the province of Nova Scotia. (*Loud cheers.*) The people of New Glasgow were an honest, intelligent, industrious and wealthy people. Their ships floated upon the sea in the world, and, if Yarmouth were excepted, there was not in the Province of Nova Scotia a more prosperous and independent people. (*Loud cheers.*)

The hon. member for Cumberland (Hon. Mr. Tupper) had wandered about very much during his four hours speech, and the only thing he seemed successful in establishing was that Hon. Sir John A. Macdonald had been guilty of spending money in the election, and he, forsooth, had no connection with these dishonourable transactions, and therefore, the Government should be sustained. (*Hear, hear.*)

He had also a remark to make in regard to the statement of the hon. member for Pictou (Hon. Mr. McDonald). That hon. gentleman asserted that between six and seven thousand dollars had been spent in the County of Hants in the endeavour to return a candidate in opposition to the late lamented Hon. J. Howe. He defied the hon. gentleman to the proof of that statement. (*Loud cheers.*) Hon. gentlemen in this House were well aware that when Nova Scotia first entered Confederation, nineteen twentieths of the people of that Province were very much opposed to it, and it was equally well known that the late lamented and hon. gentleman, Mr. Howe, was at the head of a deputation which had for its purpose the relief of the aggrieved population. The expenses in connection with that delegation were advanced by Sir George-É. Cartier in Halifax, and the local Government thought it proper to

repay those expenses. It was quite true they did not have authority to pay that money at the time, but they got that authority upon the next meeting of the Legislature. That was the way in which the six or seven thousand dollars referred to by the hon. gentleman had been spent (*great cheers*). The hon. gentleman had spoken eloquently upon the subject, and language flowed from him like water, but he (Mr. Coffin) defied him to the proof. The hon. gentleman was very fond of quoting proof in connection with the Royal Commission, let him try some of it now. He regretted very much that such a question as that upon which this House was now called to pronounce, should ever have arisen, especially so early in the history of this Confederation, upon a charge so disreputable and discreditable to the Government, and destructive of the honour of the country.

Upon looking at the evidence before him in the Blue Book, he felt that he could come to no other conclusion than to vote against the Government upon these charges. When these charges were made first, he thought the hon. member for Shefford (Hon. Mr. Huntington) brought them in rather abruptly, and he voted to sustain the Government upon that occasion, but he thought he was right in saying that within 24 hours afterwards he and other supporters of the Government urged that the Committee asked for should be appointed, and induced the Government to acquiesce. He reverted to the meeting of the Committee at Montreal in June, and the insufficient reasons for which its proceedings were stopped, and he maintained that as soon as the Government found out that they could not proceed they ought to have come to Parliament for the remedy.

Speaking of the proceedings of the 13th of August, he said he was one of the members who on that day signed the petition which the hon. member for Cumberland (Hon. Mr. Tupper) with a considerable amount of scorn, had denounced, but he would just tell the hon. Minister that it would take a good many round-robins to clear him and his colleagues from the responsibility of their corrupt actions. He did not wish to say anything personally offensive to the members of the Government. He thought it his duty in performing his functions as representative of the people, in order to sustain the credit of his country, to vote against and in condemnation of this Administration. (*Cheers.*) He next referred to the letters of Sir Hugh Allan, in which he stated that he spent \$350,000 and he (Mr. Coffin) asked if Sir Hugh had not been cross-examined on that point in order to discover how all that money was spent.

He hoped the conclusion arrived at by the House on the question before it would be such as would do credit to the country. For himself he could come to no other conclusion than that it was his duty to vote against the Government. He could not attempt to defend their conduct either in the House or before his constituents.

Mr. WALLACE (Norfolk South) characterized the movement against the Government as a mere party movement, and not made for the good of the country. The amendment of the member for Lambton (Hon. Mr. Mackenzie) was illogical on the face of it, and

he also contended that there was no corrupt bargain between Sir Hugh and the Government.

The course of the Opposition had not been dictated by any regard for the true interest of the country, but was a mere Party movement, and hon. gentlemen opposite could not pretend that the charges which they had made were borne out by the evidence.

He then proceeded to analyze the evidence in an able manner, and to reply most effectively to the arguments of the member for Durham West (Hon. Mr. Wood). He protested against taking inferential statements as against sworn testimony, and asked how on the evidence, how members could vote to condemn the Government.

Gentlemen opposite rested their case on Sir Hugh Allan's letters to McMullen, and at the same time ignored some of the letters which did not suit their views. If the Opposition had the honour of the country at heart they would be glad to receive any evidence which would disprove the charges which had been made. He thought the Opposition to the Controverted Elections bill was justified by the way in which Royal Commissioners had been assailed by an unprincipled party, who cared not for the reputation of men, so long as by ruining them they could get upon the Treasury benches.

He went on to expose some of the misstatements of the member for Durham West, an able man whose inconsistencies had marred his usefulness. He wondered that the hon. member for Bruce South (Hon. Mr. Blake) should have attacked the Judges who sat on the Royal Commission as partisans, seeing that he was the son of a venerable Judge of the Court of Chancery, and that his brother was a Judge today. He had called the three Judges partisans because they were the nominees of the Premier. Would he consider that his brother was a partisan because he too was a nominee of the Premier? The remark was an insult to the profession of which the hon. gentleman was a member, and an insult to the bench, and was calculated to bring the judiciary into disrepute.

The whole object of this act of the hon. gentlemen opposite was to turn the Ministers out of power and to gain office for themselves. (*Cheers.*) Had these gentlemen shown any fitness for office? No; they had not. Their whole course had been one of agitation, political and religious, until they had arraigned sect against sect, and race against race, and led to the deadlock which had preceded Confederation, and which was not brought about by policy or by measures, but by the agitation of the hon. gentleman opposite. They had objected to every reasonable proposal for union with the outlying Provinces. It was said that Ministers had spent money at elections, but was there not another way in which electors might not be cheated of their votes. Could this be done by false representation? He thought so, and evidenced the false representation of this kind made by the hon. member for Durham West at the last elections. The Minister of Justice (Hon. Sir John A. Macdonald) had been pursued with a relentless malignity which no

man in this country had ever met with. (*Cheers.*) He had been opposed with the bitterness and malignity of disappointed ambition. (*Cheers.*) The hon. gentlemen opposite contended that it was with a single eye that they were proceeding, and that was to vindicate their country. But if it were, would they have brought forward such charges as these, charges which they could not prove, which their own resolution showed that they abandoned? No, their only object was to rule, if it were over the ruins of their country. (*Cheers.*)

To gentlemen who had supported the Government, and were now going to vote against them, he would say that if they believed they were doing right it was their duty to vote in that way, but they should be careful that there was no disappointed ambition (*cheers*) or personal feeling actuating them. (*Cheers.*) He who in such a crisis as this deserted his friends from fear of the consequences, was both a traitor and coward. (*Loud cheers.*) He who from disappointed

ambition, or personal feelings, voted contrary to the wishes of those who had sent him here, acted the part of a traitor (*cheers*) because he betrayed those who trusted him. He was a traitor to his country because he was selling its interest for the promotion of his own selfish ends. (*Cheers.*) He was a traitor to his manhood because he was recreant to his own truth and honour. (*Cheers.*) The duty of the hour was not that advocated by the hon. gentleman opposite, to turn Ministers out and take their places, but it was to do their best for the promotion of their country. (*Loud and continued cheers.*)

Hon. Mr. TILLEY moved the adjournment of the debate.
—Carried.

Hon. Sir JOHN A. MACDONALD moved the adjournment of the House.

The House adjourned at 11.40 p.m.

HOUSE OF COMMONS

Friday, October 31, 1873

The **SPEAKER** took the chair at 3.30 p.m.

Prayers

SOUTH ONTARIO

Mr. EDGAR presented a petition complaining of an undue election for Ontario South.

* * *

THE ADDRESS

The adjourned debate on the Address was then resumed.

Hon. Mr. TILLEY, on rising, said that it was now more than a quarter of a century since he first took his place on the floors of the Legislature of his native Province as a representative of the people. He had frequently been called upon to discuss many grave and serious questions, some affecting the interests of the country, and others affecting the position and standing of the Government of which he was a member; but he was free to confess that during all that period there had never been an occasion on which he was called upon to consider a question of greater magnitude and importance than the question which they were considering today. (*Hear, hear.*) For it was one that not only affected the position of the Government and the policy of the country in the future, but it affected to a very considerable extent the personal honour and character of members of the Administration.

He would approach this subject therefore in no trifling spirit. He was aware of its magnitude, and in standing here today to defend his position and the Government, of which he was a member, he would not rely for success on making charges against the Opposition. He would merely present a case which would in his humble opinion, merit the support of this House apart from personal calumny or opposition of feeling. (*Hear, hear, and cheers.*)

The other night a slight difference of opinion took place between the hon. member for Pictou (Hon. Mr. McDonald) and the hon. member for Shefford (Hon. Mr. Huntington), as to what was the nature of the charge now under consideration. It was very easy settling, so far as the record of the hon. member for Shefford was concerned, what was the nature of the charge which was before the House, and was the property of the House and the country. On this there was no difference of opinion, but circumstances have very greatly widened the scope of the charges which were placed before the House and the country by that hon. gentleman. They were here

to consider not only the charges of the hon. member for Shefford, but also subsequent charges, because he held, and he did not think the hon. member would deny it, that the McMullen correspondence, the letters of Sir Hugh Allan, the letters and telegrams of Sir George-É. Cartier and Hon. Sir John A. Macdonald, et cetera, were published to the world by the advice, consent, and approval of the hon. member. Therefore he held that everything contained in these records were charges now against the Administration, and that the public, being now seized of these, they were holding the Government responsible for everything therein asserted, whether it were proved or disproved. (*Hear, hear.*)

The case against the Government as it stood, was not only the charge promulgated by the hon. member for Shefford, but it went further; it was not necessary to do more than refer to them. The case, as it now stood, brought direct and specific charges of corruption against certain members of the Administration. It brought the charge against an hon. member that he took a certain sum of money, and that he was promised a larger sum in consideration of his services in obtaining the Pacific Railway contract. He had read the indictment, and he must confess that he had been pained and surprised when, the other evening, the hon. member for Shefford had said that the hon. member for Vancouver (Hon. Sir Francis Hincks) had given up the high position which he had previously occupied, and come into the Cabinet of this country in order that he might perpetrate this wrong.

It went further, it said that certain members of Parliament were induced to give their assent to an Act of Incorporation passed through this Parliament because they had been bribed by money to do so. It also said that the Prime Minister had received four or five thousand dollars apart from the other payments that were made for corrupt purposes. It went further; it said as it stood now, that there had been improper influences used by the Government to obtain the disallowance of the Oaths Bill by her Majesty. Further, the Government stood arraigned today, because it was alleged that they had given improper advice to his Excellency the Governor General, and that they had interfered with the privileges of Parliament, by advising the prorogation on the 13th of August.

He desired to deal with these subjects, and to state fully and frankly his views about them all, because he believes that he could make out a case acceptable to this House. (*Cheers.*) He knew he made this statement in the face of gentlemen who could point out a fallacy in anything that he might say.

And now a few words before he came to the question of corruption, in regard to the question of prorogation, and the circumstances connected therewith. First then, as related to the

interference of the Government in relation to the Oaths Bill. The leading members of the Opposition had not in their speeches referred to this, but it had been brought up last night by the hon. member for Marquette (Mr. Cunningham) who charged the Government with this interference. He might say, while in England, he had a conversation with Lord Kimberley—(*hear, hear, from the Opposition*)—upon the subject, and he had stated to him (Hon. Mr. Tilley), most distinctly, that there had never been any interference on the part of any person in this affair. He had good reason for thinking that hon. members opposite knew that no such interference had taken place. In this conversation the Secretary for the Colonies expressed his deep regret, and said that it was a great misfortune that the law was such that it obliged them to withhold their assent from this Bill, because it placed every one in an unfortunate position. They, however, felt that it was just, and right, and proper to take this course, as, had the investigation preceded under the Bill, it would have been illegal. (*Hear, hear.*)

Let them now take this matter up in connection with the prorogation. The Government had been charged with delay in inquiring into the matter. When the Oaths Bill was disallowed, what course did the Government pursue? On the eve of the inquiry in Montreal, and finding that no evidence could be given under oath, as was directed by the House, they prepared a Commission, giving the largest possible powers to investigate all the facts and circumstances of the case to the same Committee selected by the House, but with power to examine witnesses under oath.

He must confess that for one he was grieved and disappointed when he heard that the minority of this Committee had declined to act under this Commission. They had some written record of what occurred in Montreal, and in view of this might he not be allowed to make some inferences from his imagination? When this Committee met in Montreal it was known that the Oaths Bill had been disallowed, and the question very naturally arose in the minds of the hon. gentlemen representing the Opposition on the Committee as to what course was to be taken. What was to be done? He could imagine them, in view of these facts, coming to the conclusion which it was natural to arrive at. (*Hear, hear.*) “We will not sit on this Commission.”

Hon. Mr. BLAKE: Hear, hear.

Hon. Mr. TILLEY: What shall we then do? We will state our reasons for not sitting on this Commission, and we will then send a portion of this evidence that we have got to the country in order to produce an effect upon the minds of the people before the 13th of August. We will then advise all our friends to come to Parliament on that day. We will hold meetings throughout the country. We will denounce the Government, and by that means we will induce a certain number of gentlemen who had not usually been with us to say that the prorogation should not take place, and the Government not being in a position to defend themselves, we will get a verdict. (*Cheers.*) He could imagine the hon. member for Bruce South (Hon. Mr. Blake) asking to take home the evidence which they had got

and examine it. He would return in the morning and say: “Gentlemen, I have grave doubts about the publication of the correspondence—of the whole of the correspondence. Why there is Sir Hugh Allan’s letter of October, in which he declares distinctly and specifically that he had broken off all negotiations with his American friends. The statement is clearly and distinctly put forth, and if we publish this we will entirely destroy the effect of the rest.” “Omit it,” said one; “omit it,” said all, and it was omitted.

He would go a little further. He could imagine these hon. gentlemen saying, “We have got Sir George-É. Cartier’s letter and Hon. Sir John Macdonald’s telegrams among the rest. What is to be done with them? Shall we publish them? We are going to the country for the Party of purity. We are relying on bringing to our side all the honest and honourable men in the country. (*Hear, hear from the Opposition.*) But will it not injure us and damage our reputation, and will it not destroy our cry if we give evidence surreptitiously procured, and make ourselves the receivers, as bad as the thief?” (*Hear, hear, and cheers.*) He could imagine that they decided that it would not answer. Important as these letters and telegrams were, that they would not answer their present purposes.

Well they were withheld for the time, and what he (Hon. Mr. Tilley) complained of was that these letters which had been referred to and read by an hon. gentleman in the House, these letters which were clearly fatal to the supposition of a bargain with Sir Hugh Allan were withheld, and a partial case was laid before the people, in order that they might not fairly and honestly consider it. (*Hear, hear, and cheers.*) This charge implicated a number of gentlemen who were supporters of the Government, inasmuch as it charged them with at least being open to be bribed, when it was said that stock had been given to them; but he did not hesitate to say that despite the publication of those documents the verdict of the community was in favour of the Government. (*Opposition laughter.*) Hon. members might laugh, but he had gone about the country a good deal, and all the public sentiment that he met with was in that direction, at least, such was his opinion.

Hon. Mr. BLAKE: The hon. gentleman was living among the office-seekers.

Hon. Mr. TILLEY: I was living among men who were not office-seekers. He remembered being in Montreal when these documents were published, and it was said that there were other documents to publish, and afterwards hon. gentlemen found it expedient to publish other documents. The public mind was no doubt very much excited at this time, and so it was when Parliament met.

What was the position of the Government then? It was this—that had Parliament met for business nearly every member of the Opposition would have been in his place, but about twenty-five supporters of the Government who had returned to their homes, and could not have reached Ottawa in less than a fortnight must have been absent, and so the Government would have been at the mercy

of the Opposition with no means of defending themselves. Under these circumstances the Government felt that it was but fair and just to themselves and to their friends in and out of Parliament, who would be affected more or less by this result, that they should have a full and speedy investigation, and that under oath, and therefore in communications with His Excellency they advised the prorogation of Parliament (*Hear, hear, from the Opposition.*) That, it was said, was an unconstitutional act.

His impression was that it was not an unconstitutional proceeding, but he was free to admit that even had he believed that this course was not strictly in accord with constitutional law he should, from a spirit of fair play and justice, have felt that the Government should have a fair trial, and that under oath (*cheers*), and that the feeling of the country would be that the investigation should be conducted in such a manner as that all the facts should be elicited.

The Government therefore said to the Governor General—"The matter is entirely in your hands. The moment you get this evidence you can summon Parliament and we are prepared to abide by its decision." What great loss was there to the public interests in this? What interference with the privileges of Parliament? The prorogation was simply to permit of the taking of this evidence under oath and then submitting it to the people's representatives in Parliament as had now been done, and they all knew that they were in the hands of Parliament and that it could turn them out if it was found that they had done wrong. He believed that the public sentiment of this country would justify the Government in the course they took in this matter. (*Cheers.*)

He now came to a grave question and that was the charge of corruption on the part of the Government, the charge of a corrupt sale of the Pacific Railway contract. After this grave charge was made public some of his personal political friends called upon him and said "Hon. Mr. Tilley, we are under the impression that there is something wrong in respect to the Administration. (*Hear, hear, from the Opposition.*) We are of the opinion that the evidence includes facts which includes members of Government, if not the whole. We are pleased to say that as far as you are concerned you have no knowledge of the payment of the money, and under these circumstances the question is had you not better relieve yourself of the responsibility which will rest upon you if you remain in the Government."

He said, in reply, that he had assurance from his colleagues who were implicated that they were innocent of the charges, which had been made against them, and more than this, he said even he was in a state of uncertainty had he not had these declarations from his own colleagues, and even supposing he had been in a condition to be suspicious of the circumstances, he would be unworthy of the position he occupied had he by word, thought, or act of his thrown suspicion on such men charged upon such evidence, and who were not proved to be guilty. (*Loud cheers.*) He had gone further than this, and said that he was seized of certain information with

reference to this whole transaction, stronger than the declarations that he had received, and stronger even than the oath of any man, that Hon. Sir John A. Macdonald in this matter would never have been under any obligations to Sir Hugh Allan. (*Loud cheers.*)

He would now proceed to give the reasons which influenced him in arriving at this decision, and he believed that he could convince this House and the country at large of this correctness. (*Cheers.*) He recollected the first opportunity that was given to him of meeting any of these American gentlemen who appeared in Ottawa. He might first refer to an interview which had taken place during his absence between two members of the Government and these gentlemen. He had been told that these gentlemen had been induced, by representations made to them by the late Mr. Waddington, to visit Ottawa. They came when nearly all the members of the Government were away, and finding that their proposals were entirely premature they withdrew.

Subsequently, two or three months afterwards, two gentlemen with Sir Hugh Allan came to Ottawa for the purpose of submitting new propositions, as we understood. The members of the Government met that deputation. At that time the Government were fully decided as to their policy. They were decided that nothing could be done, because they knew that they had no power to enter into any engagement with the gentlemen or any others; but he might say frankly it was considered a very favourable opportunity to obtain from these gentlemen some view of the amount that would be necessary to grant a subsidy for the construction of the road, because Government were about to submit to Parliament a proposition on the subject. After talking the matter over for some time, the members of the Government asked the deputation to submit a proposition setting forth the amount for which the road could be constructed.

They refused, and the question was put by the deputation, "If we submit a proposition and the financial conditions are satisfactory to the Government here, have we any hope of the proposition being accepted?" The answer of the Ministers was "no." Then the gentlemen, perhaps, supposing what our object was, said "we decline to submit any proposition." The Ministers did not obtain from them any proposition, and the gentlemen then retired.

When Parliament met, two Acts of incorporation were submitted, and they both passed through Committee and the House. He would venture to say there was no member of the House who ever received a cent for supporting either of these bills.

He might say *en passant* with respect to that extraordinary correspondence of Sir Hugh Allan, that he would not for all the correspondence was worth be the author of that correspondence. (*Cheers.*) What took place after that hon. gentlemen knew perfectly well. These two Acts passed the House and another Act was passed, and by which, in the event of the Government not being in a position to make satisfactory arrangements with either or both

companies, then they were to exercise the power Parliament gave them and constitute under the new Charter a new Company.

Before the Government went to the electors the matter was discussed as to what was to be done, and when they went to the electors, it was understood then as previously, that no American influence should be allowed to enter or have any control in these charters. (*Cheers.*)

Such being the case, it was considered of the utmost importance—for reasons stated in the evidence—he was glad to believe his views accorded entirely with the evidence taken—that the Charter should not be given to either of the Companies, but that the Government should put forth every effort to secure an amalgamation of the two Companies. The reasons had been stated. They perfectly well knew that the American Company was to a very great extent a Montreal Company; that Macpherson's Company was an Ontario and Toronto Company, and such were the feelings that had grown up with reference to these two charters, that to have given the contact to either Company would have affected the position of parties, and of the Government. What was more it was considered absolutely necessary for the purpose of securing the construction of the railway by Canadians that the whole of the capitalists should be united in one company to carry out that great work. (*Cheers.*) That was the decision of the Government before the elections, and it was shown in evidence that an effort had been made to accomplish that object, and it was supposed that that effort had been nearly consummated. That was the state of affairs when the elections took place.

It was very important now to consider what was the true state of the case when money was advanced by Sir Hugh Allan. Sir George-É. Cartier was in negotiations with Sir Hugh Allan. Sir George wrote a letter in which he agreed that on the amalgamation of the two companies the Allan Company should have the same number of directors as the Macpherson Company, and that if anything should occur to prevent the amalgamation of the companies then Sir George said it would be right and proper to give the contract to the Canada Pacific, which was Sir Hugh Allan's Company. That communication was sent to the Minister of Justice (Hon. Sir John A. Macdonald). What was his answer? His answer emphatically and distinctly was—"No, that proposition cannot be accepted." (*Cheers.*)

He could quite understand why Sir George-É. Cartier, a representative of Lower Canada, should have much less objection to placing that charter in the hands of the Montreal Company than Hon. Sir John Macdonald would have, because there were local and sectional influences at work. The Minister of Justice said, however, in answer to the proposition "I will not and shall not be one." The result was that the letter written by Sir George-É. Cartier was withdrawn and the proposition then stood in this way.

In an amalgamation of the Companies Mr. Macpherson should have five Directors and the Allan Company four Directors on that organization, and it was understood that as far as the influence of

the Government was concerned the preferences of Sir George and Sir John were in favour of Sir Hugh Allan getting the Presidency of the Amalgamated Company.

After the understanding took place, and after elections were over, Sir Hugh Allan's Company exhibited their readiness, willingness, and anxiety to go into the combination. Mr. Abbott, on behalf of Sir Hugh Allan's Company, visited Toronto for the purpose of arranging with Mr. Macpherson that that union should take place. Mr. Macpherson objected on two grounds. One was that there was strong suspicion that Sir Hugh Allan wanted to place, as far as his influence would allow, that Company in the hands of persons in the United States, who were connected with rival enterprises, and the second was that the question of the Presidency should remain open for the decision of the directors of the Amalgamated Company.

If hon. members would read the correspondence that took place between those two Companies and the Government in reference to that subject, they would find there was the greatest anxiety on the part of what he might call the Montreal Company to carry out the amalgamation, while on the other hand the Ontario Company was resisting the amalgamation. (*Cheers.*) Those negotiations failed.

What was then left for the Government to do? Why, to fall back upon the powers given them by Parliament. They did so; and what did they next do? Did they take up the Montreal Company—the Allan Company? They did not. They agreed that in this new Company the different Provinces of the Dominion should have the right and privileges of the opportunity of taking stock. The members of the Government, including his colleague and himself, of New Brunswick, were requested to look around for capitalists and railway men to take part in the Pacific Railway enterprise.

A circumstance took place that was so entirely in accord with the terms used in one of the despatches that he felt called upon to refer to it, because it showed what was the spirit of the leader of the Government in organizing that Company. When the Ministers were leaving for their several Provinces for the purpose of securing capitalists to engage in that work, the leader of the Government said, "Whatever you do, don't advise men to come in who will be under the influence and control of Sir Hugh Allan." (*Cheers.*) There was the greatest precaution and care taken in respect to that matter. The Government took large and extraordinary powers for the purpose of effectually excluding American influence from the Company. It was provided that the stock list must be approved by the Government, in order to prevent the possibility of transfers of the stock being made, and thus placing the power in American hands. There should be no transfer during the first five years, without the assent of the Government, and, after that period, without the assent of the whole Company. (*Cheers.*)

His reasons for coming to the conclusion that the Minister of Justice could not have been under obligation to Sir Hugh Allan, or feel himself under any, was that every stage in the proceedings of this matter, every step made, was for the purpose of tying up his hands and this could not well have been done if the Minister of

Justice was under any obligations to give the contract to that Company. (*Cheers.*) It was because he had seen the course taken by the Minister of Justice (Hon. Sir John A. Macdonald) in reference to that matter, and he had closely watched the proceedings and had not been absent from any of the meetings at which deputations were present that he came to this conclusion.

When the charge of a corrupt bargain was made, if it was true there would have been some exhibition of fact. These letters written by Sir Hugh Allan to his confidential friends instead of being a statement that the Government had decided that the Americans should have no influence in the Company, would have expressed strong feeling in respect to that matter, if there had been a bargain and contract entered into between himself and Sir Hugh Allan. (*Cheers.*) He (Hon. Mr. Tilley) did not know Sir Hugh if he would not have done so. Under these circumstances, he felt it was impossible that any such agreement had been made.

Something had been said about the attitude of Sir George-É. Cartier in relation to this Railway. This brought to his mind a conversation which he had with a gentleman towards the close of the session. He recollected just at the close of the session of 1872 a gentleman coming to him, who was not a member of Parliament, but who mixed a great deal among members of Parliament, and saying that there was a very strong feeling in Montreal and in Lower Canada generally against Sir George-É. Cartier, and amongst his own personal and political friends.

He (Hon. Mr. Tilley) asked what was the matter. The gentleman said the representatives from the Province of Quebec living upon the northern side of the St. Lawrence, were largely interested in the construction of the Northern Colonization and the North Shore Railway. They felt that at that moment the success of these undertakings was to a certain extent hanging on the balance. There could be no doubt about these roads proving a success if the Pacific Railway were commenced at an early date and in accordance with the agreement made by this Parliament with the representatives of British Columbia. There was an impression said this gentleman, that Sir George-É. Cartier being the solicitor of the Grand Trunk Company, acted as a friend of that Company, and there was an impression, as a gentleman of high position said, that there would be nothing done that year. The expression of that gentleman was taken as the opinion of Sir George-É. Cartier, and he believed that led to the impression in Lower Canada that Sir George was not prepared to take hold with vigour and energy of the completion of the Pacific Railway, which would secure the construction of the North Shore and Northern Colonization Railways which were competitors with the Grand Trunk, and that the interests of Lower Canada would be sacrificed to the interests of Sir George-É. Cartier. That was a wrong impression he (Hon. Mr. Tilley) knew.

He told the gentleman in question that he did not know Sir George at all if he would be a party to a violation of the contract entered into between the Dominion of Canada and British Columbia.

Let them inquire what there was in the agreement made between the Minister of Justice (Hon. Sir John A. Macdonald), the Minister of Militia (Hon. Sir George-É. Cartier) and Sir Hugh Allan, by the letter of the Minister of Justice of the 26th July? Let them examine it to ascertain what the influences were which induced Sir Hugh Allan to advance money. Was the position he occupied under the letter of the Minister of Justice on the 26th July such as would induce him to give \$162,000 to advance the elections? What great advantage had he under that arrangement? He was under a disadvantage. His Company was to have four Directors, while the other was to have five. He was to have no advantage that Mr. Macpherson and his Company did not enjoy. On the contrary, if there was any difference the advantages were in the hands of the other Company; and did they hear that Mr. Macpherson, for the sake of obtaining those advantages, gave then, twenty, thirty or fifty thousand dollars, or a cent? Was it rational, was it reasonable, that Sir Hugh Allan should feel himself called upon in order that he should get this consideration in the amalgamated Company to give \$162,000, or as was said \$300,000? Common sense declared that such could not be the case. (*Cheers.*)

They came now to the organization of the new company. Had Sir Hugh Allan the controlling power in the new Company? He had not. He appealed to the House to say whether this was very popular stock when it was put upon the market. They knew it was the other way. He had hoped that his friend (Mr. Burpee), who stood head and shoulders above any other man in New Brunswick as a railway man, would become connected with the concern, but he could not advise him or any one else to enter into it as a matter of pecuniary profit, unless he had a considerable sum of money which he desired to invest on behalf of his children, and to wait twenty years for returns.

It had been said that Sir Hugh Allan might control more than the one-thirteenth allotted to him. Looking at the construction of the company Sir Hugh could not control more than one-fourth at all events, and everything showed that the action of the Government was sufficient to prevent the possibility of the occurrence pointed out. He could not therefore understand how any hon. member who looked at the whole facts of the case, and traced them down from the very commencement, could show any reason or foundation for the allegation that Sir Hugh Allan had paid for the advantages he was said to have got in the contract. Why should Sir Hugh Allan give this large sum of money if he was not to get some advantage or consideration? (*Hear, hear.*) The hon. member for Durham West (Hon. Mr. Wood) put that question the other night, and answered it last night. It was answered in another way. The hon. member for Lennox (Mr. Cartwright) said it appeared only natural to suppose that Sir Hugh Allan would come to the front and contribute liberally to support the leaders of the present Administration, because in the past he had received great favours from them. He thought that coming from a gentleman now in opposition it might be taken as an answer to the inquiry.

Mr. CARTWRIGHT: What I said was, that the question was not what Sir Hugh Allan actually got, but what he expected to get.

Hon. Mr. TILLEY said he understood the hon. gentleman to say that it might only be expected that the leader of the Government would get Sir Hugh Allan's support in return for the subsidies given to him in the past.

Mr. CARTWRIGHT said he had accused Sir Hugh Allan of gross ingratitude in conspiring against the Government.

Hon. Mr. TILLEY said he knew of no subsidies that Sir Hugh Allan had received of any great importance, except that under the contract for ocean mail service, which was made many years ago. Before Confederation that subsidy was four times more than it was as arranged by the present Government. (*Cheers.*) It was sustained not only by Parliament and the present leader of the Government, but by the present leader of the Opposition and his supporters in the House (*hear, hear*), and he believed rightly, because at the commencement of the enterprise it was necessary to give more assistance than was requisite now.

He said that Sir Hugh Allan had a large interest in the Pacific Railway. If he had not a dollar invested in it, and if he were not a stockholder, or a Director, he still had a large interest in the construction of the road. Sir Hugh Allan was interested in enterprises in Lower Canada which, without the Pacific Railway, would be failures, but with it a success.

When he looked at the policy of the present Administration as foreshadowed in their agreement with British Columbia, at the policy of the leader of the Opposition as announced when that agreement was under consideration, at the policy of the present Administration as foreshadowed in the speech from the Throne, and at the policy of his hon. friend opposite, that only the surplus of one million dollars a year should be expended in the construction of the road, he did not feel surprised that Sir Hugh Allan supported the party that would carry on the work.

He believed that neither the Government nor any member sold or had any intention, or gave to Sir Hugh Allan and his Company any privileges which they would not have given to any other Company. Under these convictions he stood there to defend the Administration with a consciousness of the rectitude of their conduct, and one that might be vindicated.

He now came to the matter of money, and he did feel that he should say a few words about the expenditure of money for elections. When in England and talking the matter over, people there seemed to say that it was wrong to spend money in elections, but he said in the country it was necessary for the success of candidates that money should be expended, but not for corrupt purposes. It was true that the spending of money for elections was in some cases corrupt. He was free to admit that money was often taken for votes, which he believed corrupt, but there were cases in which voters lived perhaps twenty miles or more from the poll and who had not horses to convey them there and in such cases as these it did not seem to him illegal for a candidate to go to the expense of having these men conveyed to the polls.

Hon. Mr. BLAKE: It is against the law.

Hon. Mr. TILLEY: If it was against the law he did not hesitate to say it was a very grave question for consideration and one which gave large powers to the wealthy man. To the poor man there were other legitimate expenses which had to be provided for. With reference to the reception of money for election purposes either by leading members of the Opposition, who naturally expected to be in power some day, or by members in power, he said it was an error, because if a party got into power, and with reference to the members of the Administration they were subject to the imputation that they received it for undue purposes. It has been said in the press that he had been asked by the Opposition to leave his colleagues and join them. He was asked to assist in defeating this Government and to change the policy of the country which was acceptable to the people. He was asked to assist in placing his hon. friends opposite in power to do what?

Hon. Mr. MACKENZIE: To give a pure election law.

Hon. Mr. TILLEY: Well, it might be to give a pure election law. He was asked to put the hon. member for Lambton (Hon. Mr. Mackenzie) in power that he might spend a million a year in building the Pacific Railway. (*Cheers.*) He was asked to do this when they expected this to be done. He was asked to put that hon. gentleman in power when he last session struck at the very foundation of the rights and liberties of the Local Legislature; but were he perfectly in accord with him, for these and other reasons he would not do so, because, as he had stated, it was he who had rolled up against the Minister of Justice (Hon. Sir John A. Macdonald) all the charges that he had been made and promulgated; and when the hon. gentleman was arraigned before the House and the country for corrupt practices, he was bound to say that from having sat with him in Council for the last six years, he did not believe he was guilty.

He was prepared to do this rather than lend his influence to give power to the arm that was raised to strike him down, he believed unjustly. He would rather fall with him, and take the consequences of vindicating his course before the country, and he believed he would be unworthy as a representative of the people were he to do other wise. Were he called upon to give a verdict, he would say, and he believed the House would say, "not guilty."

Mr. LAFLAMME claimed that indulgence of the House, coming as he did after so distinguished a speaker, and speaking in a language that was not his own; but he thought no better opportunity offered itself to answer the very sophistical argument they had just heard. Up to this hour they had had the discussion upon the evidence adduced before the Royal Commission—evidence prepared by those who were interested in suppressing the best of it. But the Ministers were not satisfied to rest their case upon even that evidence, but must call upon one of themselves to make a statement to disprove and contradict the evidence taken under oath. (*Cheers.*) How was it, having control of the enquiry, they had not thought proper to have these elaborate statements of the Minister of Finance (Hon. Mr. Tilley) taken under oath? It was upon the sworn

testimony that the Government must be judged, and not the bare statement of the Minister of Finance. That hon. gentleman could not shirk the responsibility. He had accepted it deliberately, and must now be judged on the same ground as the Minister of Justice (Hon. Sir John A. Macdonald). (*Cheers.*)

It seemed to him (Mr. Laflamme) that from a long exercise of power, there had arisen a sort of confusion in the minds of hon. gentlemen opposite as to what was right and what was wrong. (*Hear, hear.*) They had come even to this point—that they saw no immorality in their obtaining money to any amount to control the elections. Human credibility and human gullibility must be measured by human imbecility. (*Laughter.*)

He would not fatigue the House by going over the evidence. No one could doubt—for it was admitted by the Premier himself, under oath—that the Ministry of this country had received over \$150,000 for the purpose of corrupting the electors, and received it, too, from an expectant public contractor. (*Cheers.*) There lay the whole case. But it was said there was no bargain. He would refer to that by and by, but there was the broad fact, and that fact alone was enough to condemn the Administration or any party.

The Administration was in this position: they were the trustees of the country, and they were bound by their oath to give this contract irrespective of any influence whatever. What would be said of a judge who, pending a law suit where money was involved, would receive from one of the litigants the sum of \$150,000? Would not the bare fact of the receipt of the money condemn that judge to infamy? In what position does the Administration stand? Before this contract was absolutely granted, according to their own admission, the Government demanded and received that sum of money from an applicant for that contract. How, then, could they be defended? With all their arguments, the fact stood out conspicuous by that, during their deliberations as to the giving of the contract, they received this money from the very man to whom they subsequently gave the contract; but, as in all cases where the evidence is overwhelming, side issues have been dragged in.

The only question at issue was did the Government receive this money, and use it for corrupt purposes? The Minister of Finance (Hon. Mr. Tilley) replies that the Opposition were guilty of corruption. On what did he base that charge? Upon the *ipse dixit* of the gentlemen opposite? If the Opposition were guilty, let the charges be made distinctly, and they were ready to meet them either with or without a Royal Commission, but that was no answer to the grave accusation made against the Ministry. Supposing the Opposition were guilty, they had not in their hands the destinies of the country as the Ministry had.

The Ministry had the control of public affairs, and if we allowed the principle to be adopted that the Ministry may properly receive money from a public contractor to corrupt electors, we could expect no honest administration of our affairs. The Minister of Finance justified the hiring of teams to convey electors to the polls, though it was clearly a violation of the law, as he (Mr. Laflamme) showed

by reading the clause of the statute relating thereto. The fact was that Ministers had all along forgotten not only Parliamentary and Statute law, but the Moral law. (*Cheers.*)

With reference to the remarks of the hon. gentleman as to alleged interference in procuring the disallowance of the Oaths Bill, there was one fact that should not be overlooked, and that was, that there never was a case in the whole history of Canada in which a Bill was disallowed with such rapidity as this one was. It was, in fact, disallowed by cable, though our law says that a printed Bill shall be sent to the Colonial Office.

As to the Royal Commission, he would not discuss that matter but would merely say that there was no question that a Parliamentary Committee had superior powers to a Commission for the prosecution of an investigation of this kind. Before a Commission witnesses might plead that they were not bound to disclose what their clients told them, but before a Parliamentary Committee no such privilege could be invoked. The Minister of Finance had accused the member for Shefford (Hon. Mr. Huntington) with concealing a portion of the correspondence, but the letters referred to were in possession of the Government, and why did they not publish them if they thought they would vindicate them? (*Hear, hear.*) Besides that, the member for Shefford offered to place all the documents before the House, but was stopped by the leader of the Government from doing so.

The Minister of Finance had claimed that the documents produced a favourable impression on the public mind towards the Government. That certainly was a great mistake, for public opinion was very much against them both in this country and in England. Why all the English papers that were inclined before to sympathize with the Government were now condemning them in the strongest terms. The facts disclosed were so conclusive that there was no voice raised in their favour in England.

The hon. gentleman took up the point with reference to the consideration given to Sir Hugh Allan. He said the moment the Premier agreed to give Sir Hugh the presidency, he got all he wanted. Sir Hugh knew that Mr. Macpherson would not amalgamate if he (Sir Hugh Allan) was to get the presidency, and consequently he was sure that having the promise of the presidency, he had virtually the control of the contract. He referred to the telegram of Hon. Sir John A. Macdonald of the 26th of July, which showed that the question of the presidency of the railway was that to which Sir Hugh Allan attached the whole importance and that, in the mind of Sir Hugh Allan, implied all the benefits which he could have expected from the contract under any circumstances, and which he thought a sufficient equivalent for the large sum of money he advanced for this position.

He had the contract with Sir George-É. Cartier, and the promise of Hon. Sir John A. Macdonald that all the power and influence of the Government—not of the Premier individually, but of the whole Government without exception. It was true the contract, as approved of by Sir John, was only for the Presidency, so far as

appeared from the evidence; but from this position Sir Hugh could have and would have every advantage that could be desired. The Ministers had given their promise of support, and no matter what was the feeling of the members of the Company, no other man could have been elected to the position; consequently the statement that the selection would be left to the Board was perfectly valueless, because, the Board being created by the Government, would not and dare not appoint a President contrary to their wishes, nor would the contract be given without their sanction.

It was a notorious fact that Sir Hugh Allan did not contradict the statements made to the published correspondence, except in a few cases, in which he said his memory faded him, and expressed some doubts, but he failed to state the particular cases and particular places. There was just one particular in which it was thought proper to contradict the statements of Mr. McMullen, not as made by the gentlemen himself, but as reported in the columns of the *Chicago Times*. That report was as follows, as contained in the report of the Royal Commission, and in the evidence of Hon. Sir John A. Macdonald. The reporter says, "but \$400,000 is a pretty good sum of money for one man to lose. Does Sir Hugh Allan really suffer this loss?" Mr. McMullen says "Sir Hugh is President of the Merchants' Bank of Canada, a very large institution, which in its current report shows a Government deposit, without interest, of over \$1,200,000, and as all its funds are directly under his control, it is safe to suspect that up to the present time he is even. I understand that another bank in Montreal furnished a portion of the sum by discounting notes secured by Allan's endorsement, and that these are still being carried. This bank also has over \$300,000 of Government money on the equally liberal terms of no interest."

"That statement is untrue. I do not believe the Merchants' Bank have ever at any time deposited over \$300,000 without interest. Funds accumulate in the different banks, and any profit goes to the shareholders, and in no way to Sir Hugh Allan, except as he is a shareholder. But the sum of \$1,200,000 is altogether false."

He (Mr. Laflamme) had only to refer to the published statements in the *Official Gazette* to find that the statement of Mr. McMullen upon that occasion was quite true—(*Cheers*)—and the opposite statement, which could not be correct if the other was, had been volunteered by the right hon. gentleman to the Commission. If the *Official Gazette* were referred to, it would be seen that the following was the state of the account at the Merchants' Bank for much at least of the year 1873:—31st January, \$345,000; 28th February, \$640,000; 31st March, \$1,322,000; 30th April, \$1,175,000; 31st May, \$2,118,000; 30 June, \$1,200,000; 31st July, \$1,114,000; 31st August, \$1,116,000, and on the 30th September, 1873, \$1,900,000—(*great cheering*). Still it was found that the right hon. gentleman gave his sworn statement, that on no occasion had there been to his recollection over \$300,000 to the credit of the Government in the Merchants' Bank.

Hon. Mr. TILLEY said that at the present time the amount was only \$240,000 and \$150,000 of that was from Manitoba, where the bank had a branch.

Mr. LAFLAMME said if the statement of the Minister of Finance was correct, the statements published by the Merchants' Bank were false. (*Hear, hear, and cheers.*) These facts he took from, and carefully compared with, the pages of the *Canada Gazette*, and he did not believe that there was any object at that moment for making any false statement.

But the Merchants' Bank was not the only institution which partook specially of the favours of the Government. The Metropolitan Bank was also favoured in a similar way—(*hear, hear*)—and these two banks together were those through which the money came that was so lavishly distributed throughout the country for the purpose of carrying the elections. (*Hear, hear.*) The latter bank, which had only a capital of one million, had sometimes more than half of that amount in Government deposits. (*Hear, hear.*) From the published statements of the Metropolitan Bank, it appeared that the deposits were in April last \$340,000; in May, \$315,000, in June \$315,000; in July, \$285,000; in August, \$280,000; and in September \$280,000. (*Cheers.*) These were facts, and if they were not, assuredly it was the duty of the Minister of Finance to see that these banks should cease to publish false statements.

Hon. Mr. TILLEY said that the hon. member for Waterloo had a motion upon the paper for a statement of Government deposits in the banks referred to.

Mr. LAFLAMME said it was he who suggested the propriety of this question to the hon. member for Waterloo. (*Cheers.*) The cashier of the Metropolitan Bank was Mr. Hincks, he said, who was the son of the Hon. Sir Francis Hincks, late Minister of Finance, and the President was the Hon. Henry Starnes, who, besides receiving the Government deposits, also received the confidential papers of Sir Hugh Allan. (*Hear, hear.*) The same gentleman was also the Treasurer of the great election fund. (*Hear, hear and cheers.*)

He would ask what reason had Sir Hugh Allan for advancing such a large sum of money. (*Cheers.*) It was true he had formerly received great favours from the Government, in that he had a very lucrative mail contract, but did he even then give large subscriptions to help elections? When asked at the Commission if he had ever subscribed for a similar purpose on previous occasions, he stated that he had, but never to that amount. Why was the question not put to what amount? (*Cheers.*) Then probably we might have heard that he had never subscribed more than \$100, and the natural question to have followed would have been why his subscription varied so much. His mail subsidy was a very large amount, at one time as much as 104,000 pounds sterling, but in consequence of that he neither subscribed, nor bothered himself in any way on account of the Government—in fact, he never voted at an election except once in his life. (*Cheers.*)

When the question of the Presidency of this railway was up, and the great contract in connection with it, his money flowed out like

water. He had a thorough contempt, which he disclosed without hesitation, for the political parties in this Dominion, and he considered the men chosen as representatives of that party in this House as worthy merely to be purchased for his own purpose. In fact, his letters disclosed a pleasure in the purchase of twenty-seven, something like equal to the pleasure of purchasing twenty-seven cows to graze upon his pastures. (*Great cheers and laughter.*)

These papers and correspondence teemed with evidence—moral evidence—morally establishing the moral guilt of the Government, and some times, as they well knew, moral evidence was stronger than direct evidence. (*Hear, hear.*) Was it to be supposed that a man like Sir Hugh Allan, who had made his money, not by lavish expenditures, but by great care, would have given away \$162,000 as a mere subscription? No one could believe that, any person at his age could be so generous. Men did not generally grow liberal as they grew old. (*Hear, hear.*) When he could secure the presidency and the contract; when the prospective benefits were so bountiful and so tempting; when he was promised from two parties to have his money recouped, the case was entirely different. (*Hear, hear.*) He immediately becomes extravagantly liberal, and thinks nothing of over \$300,000 in this connection. That he gave this money away without if not a distinct and decided bargain, at least a tacit and well-defined understanding that he was to receive its equivalent, was more than any man of common sense from any part of Canada could in his heart believe. (*Cheers.*) It was a plain matter of fact, which reached the understanding of every man.

On the 7th of August, 1872, Sir Hugh Allan wrote to an American associate that he had obtained the contract upon certain monetary conditions and that he had the control of the entire matter in his hands. There was one thing certain—that the letters of Sir Hugh Allan proved the purpose for which he paid the money, notwithstanding his subsequent declaration that he had no interest in the matter beyond that of the other shareholders. These letters would be admitted as evidence against him in any Court of Justice, and the statement of the fact contained in these papers had not as yet been contradicted. Not one witness examined before the Royal Commission had been able to disprove them. In his letter of the 7th of August Sir Hugh declared that he must be repaid by his American associates to the amount of \$300,000, which he said would be expended before the matter was complete, and he also stipulated with the members of the Government that he would be reimbursed, that is to say, the contract would reimburse him and the Americans so far as they were concerned, and he and the Americans would share the expense in the meantime.

The hon. Minister of Finance (Hon. Sir Francis Hincks) had mentioned his conversation with the Colonial Secretary of Britain, who, he confessed, was rather alarmed at the idea of this transaction, but the hon. gentleman said he explained the matter to him, and showed that the money was not given for corrupt purposes.

He believed there was no country in the world where election expenses were heavier than in England, but notwithstanding that,

there was in that country no parallel to the present case, and no justification for the taking of moneys by Ministers directly from the hands of public contractors—(*cheers*)—and that for the purpose of corrupting the constituencies in order to maintain themselves in power. (*Loud cheers.*)

There was no man in this country who would not confess, if he were to speak honestly, that it was owing to means of this kind—to the money obtained from contracts, and the undue and illegal exercise of Government patronage—that the present Administration had so long maintained themselves in power—(*hear, hear*)—and it was boasted throughout the country that in consequence of the Pacific Railway they had secured for themselves a renewed lease of power of over twenty years. But the Government complained of corruption on both sides of the House. If their complaint was well founded, who was to blame? Surely it was the Government themselves who refused an election law which would have practically put an end to it, even though earnestly requested to pass it at the last session of the last Parliament (*hear, hear*). Sir Hugh Allan declared that he had purchased twenty-seven members of Lower Canada, but there was no means of knowing how many had been purchased in Ontario with the money furnished to the right Hon. Premier (*hear, hear*).

As to the question now before the House, it was one of right and wrong, of honesty and dishonesty, and not one of party. He pointed out that he had failed to find out what was the meaning of Conservative; every member of the Government claimed to be a Liberal, and it was also true that any measure which had been steadily advocated by the Opposition and opposed by the Government, invariably became a plank to the Ministerial platform when they saw that if they resisted they would be defeated. Every member in this House admitted that an honest Administration was essential, and upon that question the party line ought to be decided. There might in the present instance be some question, not of party, but political and personal attachment to party leaders; but when the question was one between honest and dishonest Government, personal attachments should he lose sight of in view of the duty of representatives to the people who cited them. If such a system were going to be continued by this House, this country would become the footstool of the millionaire, who would not only own its acres and its industries, but the liberty and franchise of its people. (*Cheers.*)

He did not care upon which side of the House he were; but he could not but declare, with even the incomplete evidence of the Commission and the Allan correspondence before him, that corruption on such a tremendous scale must be detrimental to the interests of this country, and destructive of the very first principles of liberty. The matter would not stop with the simple purchase of electors en masse, as was the fact in the past election. They would come next and purchase the members of this House. What was the difference between purchasing the members and purchasing the electors? It was only one of degree. If Sir Hugh Allan and the Government, instead of spending their \$300,000 among the people, had entrusted the Premier with the money, and asked him to wait until the House opened, then to give it out according as the

exigencies and the consciences of those applied to demanded, what would be the difference and what the consequence?

Who could say for the men who had sacrificed their very honour for the purpose of keeping themselves in office, and who seemed to cling to the reins of power so tenaciously that they appeared determined never to let them go—who would say that these men, knowing that their destiny lay on the deliberations and determinations of five or six members, that they were not already at the nefarious work? (*Loud and prolonged cheering, amidst which the hon. gentleman sat down.*)

It being six o'clock, the House took recess.

AFTER RECESS

Mr. CARTER said the Huntington charges had first been placed before the House as a vote of want of confidence, and as such they had been set aside by a very large majority. The whole circumstances showed that the Premier had been anxious for full inquiry provided it was held under oath. (*Hear, hear.*) The fact that Hon. Sir John A. Macdonald himself moved for a Committee of Inquiry, was sufficient to show that he was eager that the truth should be brought out. With regard to the prorogation question, it was very well understood that the meeting on the 13th August was to be but *pro forma*, and that no business was to be done. With that understanding the House adjourned.

The member for Middlesex East (Mr. Glass) admitted that the memorial of the 13th August was signed on the understanding that nothing detrimental to the Ministry should be resorted to, but the memorial itself showed that the Opposition were prepared to break the full understanding as to the *pro forma* meeting between the Crown, Parliament and the country. (*Hear, hear.*) It was very evident the Opposition intended to practice a trick upon his Excellency in the absence of the supporters of the Government. On this great question the Ministry were not alone on trial, for hon. gentleman opposite had gone so far as to impeach the Governor General and the Law Officers of the Crown. The member for Durham West (Hon. Mr. Wood) had gone so far as to charge that his Excellency had no power to issue a Commission. Some members of the Opposition had declared that there was enough evidence in the report of the Royal Commission to establish the charge, while on the other hand, others pretended to regard that report as a nullity. The Opposition altogether had admitted the legality of the Royal Commission, and accepted the evidence taken before it as legal and good.

The member for Shefford (Hon. Mr. Huntington) had declined to appear before the Commission, and doubtless for good reasons, for it might have been awkward for him to get up and tell the country by what means he had obtained the stolen letters and documents. There were two inferences only—which could be drawn from the non-appearance of the hon. member for Shefford. They were either

he had made his charge in haste and without due consideration, or had made it without any evidence to back it up. The inference to be drawn from the whole conduct of the hon. member was that he had not the Allan letters in his possession at the time he made the charges, but had subsequently been obliged to resort to the pilfering of letters and documents from private drawers in order to try and sustain it.

What the House had to deal with was the sworn statement of Sir Hugh Allan, and not his correspondence with the Americans, and this statement denied positively that there was any corrupt agreement with the Government. It had been argued by the hon. member for Jacques-Cartier (Mr. Laflamme) that Sir Hugh would not have subscribed so largely if he had not had the charter in view; but the House had the sworn evidence of Sir Hugh Allan that the object he had in view was the sustaining in power of a Government whose policy he approved of, and which was in the interest of his great steamship line and the railways with which he was connected.

The Opposition had resorted to every means to gain the object they had in view by going to hon. members on this side, who were lawyers, and saying, "Oh, Mr. So and So, there have been three judges appointed in your district, and how is it you have not been appointed." (*Cheers.*) These and similar means were resorted to by them to try and gain the Government members over to their side. And not only this; they resorted to false stories about the Premier, and they abstracted letters from the Post Office. It was true the Premier had the sympathy of the members on both sides, but he did not ask sympathy. What he asked was justice, common British justice. (*Applause.*) He would say in conclusion that he had no doubt the right hon. Premier would be sustained in this House.

He concluded with a panegyric on the Prime Minister, and resumed his seat amid cries of "Question" and "Call in the members" from the Opposition benches.

Mr. BURPEE (St. John City and County) rose amid cheers from the Opposition. He said he rose with a great deal of perplexity and embarrassment on this occasion, because of the position he had heretofore held towards the Ministry. He felt, however, his duty was to cast aside his personal feelings, and he was prepared to vote for the amendment proposed by the member for Lambton (Hon. Mr. Mackenzie). (*Loud Opposition cheers.*)

In justifying the course he had decided to take, he might have to go over what had already been said, and he asked the indulgence of the House. When the charge was made by the member for Shefford (Hon. Mr. Huntington) it startled every member. He was very slow to believe that there was any truth in these charges. He was slow to believe that charges of that kind could possibly be made against any member of the Ministry on the floor of the House of Parliament, and when they had the assurance of the head of the Government that there was no foundation for these charges, he felt satisfied they could not be true.

Subsequently the Committee was appointed on motion of the Premier. When it met on the 2nd of July and agreed to adjourn, it did so after passing a resolution which bore evidence on its face that the Committee required to go back to Parliament for further instruction. Well, on the 13th of August Parliament met. He might say that there was a great deal of misunderstanding as to that meeting, but he certainly understood the Premier to say that the House would meet on the 13th of August to receive the report of the Committee. Notwithstanding anything that had been said then, he thought the importance of the work the Committee had to do, and the fact that they could do nothing till the House met, required that every member should be at his place on the 13th. If the report of the Committee had been one of guilty, members should have been here to take action in the matter, and if it had cleared the Ministry, then all the members should have been here to render their verdict of acquittal. On the 13th a memorial was signed, asking that the House be not prorogued. He signed that memorial, and he was not ashamed of what he had done. If the Ministry thought fit to advise His Excellency to take no notice of that memorial, that was their business, not his.

He might say, with reference to the prorogation, he was entirely opposed to it. It was not his place to argue the constitutional aspect of the question at all, but the prorogation was entirely contrary to his opinions respecting the privileges of Parliament, and the functions of responsible Government. During the recess, between July and August, the correspondence was published, and it caused a great deal of anxiety and astonishment throughout the country. That also added to the necessity of every member being ready for business on the 13th of August. After enquiry had been wrested from Parliament by the prorogation, and the Commission was appointed, evidence was produced before it which went very far indeed to convince him of the truth of the charges made by Hon. Mr. Huntington. In his opinion, the parties accused admitted they were guilty of a great wrong. As far as he could see, the money received by the Government from Sir Hugh Allan pointed directly in almost every instance to the Pacific Railway matter, and he was convinced was given for the purpose of securing the contract of that enterprise.

But leaving that feature of the case aside entirely, he believed the receiving of money by any member of the Government from Sir Hugh Allan for use in the election was a violation of their duty and of the law. (*Cheers.*) He did not wish to detain the House. It had been said that he was not acting in accordance with the wishes of his constituents, but he was prepared to abide by the consequences. He was quite prepared to submit his conduct for the decision of his constituents. He was not here to be swayed by any one man or any number of men. He spoke to several of his constituents before he came here, and they gave him the assurance that all he was to do was what he thought was right, and influence that that might have been attempted to be brought to bear upon him from St. John since he came here not affect him in the least. He believed that in this matter he was acting thoroughly in accordance with the Liberal principle of the Province from which he came.

Mr. DOMVILLE made a personal attack upon Mr. Burpee (St. John) and charged him with corrupting his own constituency by bribing his constituents and now that gentleman came forward and condemned the Government for having been guilty of corruption. He quoted from a St. John paper in support of his charge against Mr. Burpee, who was not in the present case acting according to the wishes of his constituents.

Hon. Mr. MACKENZIE called the speaker to order, he not having referred to the question before the House.

The SPEAKER called upon Mr. Domville to confine himself to the subject before the House.

Mr. DOMVILLE said as the member for Shefford (Hon. Mr. Huntington) did not go before the Commission and prove the case, he could only believe the charges were untrue. He would sustain the Government by giving his vote in favour of the amendment of the hon. member for Pictou (Hon. Mr. McDonald). He then read some verses, the subject of which was corruption, as in fact was the whole speech, amid a great deal of merriment, and one of the hon. members asked him for a song.

Mr. PICKARD said the subject they were at present to decide was of grave importance. They were laying the formulation for the future, and the subject should not be treated in a light and trivial manner, in which it had been treated by some hon. gentlemen last session, when the hon. member for Shefford (Hon. Mr. Huntington) made his motion in the House. Respecting the negotiations with Sir Hugh, he thought the Committee would be granted at once, however, the motion was voted down on the Government saying there was nothing wrong, but 24 hours changed their mind, and they came up the House and asked for a Committee to be struck. He (Mr. Pickard) was willing to grant the time afterwards required, and voted with the Government.

He had the curiosity to go to Montreal on the 2nd of July. He then entered upon a humorous description of the expedients and the delays of the Committee at Montreal, when it was finally decided to report back to the power by which it was created. He was present on the 13th of August, found no report was to be presented, and that to his mind was a wrong and a violation of the rights of the people. With regard to the question of corruption, he believed there was an understanding come to. He would not think there was any man so mean as Sir Hugh was, who would give as much money as he had given to the Government without expecting to receive something either directly or indirectly. The hon. member for Cumberland (Hon. Mr. Tupper) had appealed to the sympathies of the House for the purpose of saving the first Minister of the Crown (Hon. Sir John A. Macdonald).

He (Mr. Pickard) could not extend his sympathy, when the interest of the country was at stake. The welfare and reputation of the country should be considered, and so that they might make it so

inviting as to attract people to it to make it their home. He intended to vote for the hon. member for Lambton's amendment.

Mr. OUIMET, the newly elected member for Laval, rose at this point amid cries of "question" from the Opposition. He spoke for some time in French.

He (Mr. Ouimet) defended the general course of the Government. He was here to express the opinion of his constituency that the charges of the hon. member for Shefford (Hon. Mr. Huntington) had not been sustained, and he believed he expressed the general views of the people of the Province of Quebec. (*Cheers.*) He believed the opposition to the Pacific Railway was what actuated these charges against the Ministry. He had followed with interest these accusations against the Ministry, and had, after due consideration come to the conclusion that there was no foundation for them. In conclusion, he would say, however, that he would prefer the construction of the Pacific Railway by a Company to its construction by the Government. He called on the representatives of Quebec, in their own interests and in that of the Pacific Railway, to sustain the Government.

Mr. PRÉVOST (in French) regretted to see a gentleman like the hon. member for Laval (Mr. Ouimet) who spoke in his own maternal tongue making his first speech in Parliament and inaugurating his political career by defending a Government which had been proved so corrupt and so unworthy of support.

He looked upon the Pacific Railway as one of the great and necessary enterprises of the country. He had contributed to the dinner to Sir Hugh Allan on the eve of his departure for England, to raise the money for its construction, but he was not one of those who believed that the end justified the means, and when he found out the manner in which Sir Hugh Allan and the Government had acted he could no longer support the undertaking under its then administration. He denied that the recent election for the county of Laval was an indication of the bribing of the people of the Province of Quebec. On the other hand, the means by which that election was won were disgraceful both to the country and to those who had it in hand. If the motto of Canada was to be the end justifies the means, where would be the end? It appeared as if the Allan party folded their hands and said we have the charter and what are the odds.

When elected to this House he came as an independent, but after his arrival here he soon saw so many disgraceful things that he felt it his duty at once to take sides with the gentlemen with whom he was now associated upon this side of the House. He commented upon the silence with which the parties principally accused had comported themselves, when the charges were first made, which silence, in his opinion, proclaimed their guilt.

He traced up the proceedings from that date to this, and remarked that every move had been an attempt to over-power and drown the voice of the people by Ministerial despotism. Unfortunately for the Government and the country, the charges proved only too true. Now

we had an attempt to justify the Government upon the plea that the Opposition had acted just as badly, but one crime could not excuse another and the crime of the Government having been proved, the world was looking on to see whether the young Dominion of Canada was prepared to show herself worthy of a position among the nations of the earth, by hurling from power those who had committed such grievous offenses. It was a duty which had to be performed, no matter how distasteful a duty, which the honour of the House and the county alike demanded.

Mr. MATHIEU replied to the hon. members for Deux-Montagnes (Mr. Prévost) and Jacques-Cartier (Mr. Laflamme).

The latter hon. gentleman had said that he was not a partisan, and would vote in accordance with the dictates of his conscience. He had no doubt that the hon. member was sincere in his opinion, as all other members were, but he thought that nearly all the members were to a certain extent partisans. They were not led by the nose by their chief, but as a rule the chief of the Party represented the opinion of his Party, and therefore when hon. gentlemen voted in accordance with their chief, they were honestly carrying out their convictions.

The hon. gentleman then quoted from Lord John Russell's description of the manner in which young members of Parliament became party men. He (Mr. Mathieu) was not a partisan, but like the men described by Lord Russell, usually voted with his party from honest convictions. He, therefore, might be described as an Independent party man.

Mr. De ST-GEORGES here raised a point of order. The hon. member was not speaking to the motion.

The SPEAKER said that in the debate on the Address the greatest latitude was allowed.

Mr. MATHIEU understood that in a debate on the Address all sorts of things might be said, and he was saying all sorts of things. The hon. gentleman then quoted from Berch on party politics, a passage stating that a man would be very unfortunate in the choice of his political company if nine times out of ten he could not conscientiously vote with his Party.

There were two parties in the House. They on his side of the House were supposed to be Tories, the hon. gentlemen opposite were the Whigs, the Grits, the Liberals, the Nationalists. The Tories, we read, looked upon the Crown as the head of the Constitution. He concluded that the hon. gentlemen opposite had acted in contradiction of the principles of the Liberal Party, when by their journals and their speeches, they condemned the act of the Governor General for accepting the advice of his responsible Ministers. They had contradicted that great principle of popular government, which said that the Crown could not act except with the advice of advisers. Therefore he thought that the Parties were

changing sides, and that the hon. gentlemen opposite had become the Tories, and the hon. gentlemen on this side of the House the veritable Liberals.

He next preceded to point out that there had been a distinct understanding that there should not be a business session of the House on the 13th of August. And now he came to the question as to whether the Government was responsible for the failure of the Committee to proceed with the investigation. The Committee was instructed by the House to take evidence under oath, and when therefore the Committee met and found that it had not the power to carry out their instructions, the majority determined that they could

not proceed. Therefore it could not be said that the Government was responsible for the stoppage of the investigation.

As to the appointment of the Royal Commission he approved of the course of the Government. The hon. gentleman then preceded to consider the evidence and concluded a logical as well as a humorous speech amid loud applause.

Hon. Sir JOHN A. MACDONALD then moved the adjournment of the debate.

The House adjourned at midnight.

HOUSE OF COMMONS

Monday, November 3, 1873

The **SPEAKER** took the chair at 3 p.m.

Prayers

**THE GOVERNOR GENERAL AND
THE HON. MR. HUNTINGTON**

Hon. Mr. HUNTINGTON read the following letter from the Governor General's Secretary:—

"Governor General's Office, October 30th",

"Hon. L.S. Huntington, M.P.",

"House of Commons",

"Sir,—His Excellency's attention has been called to the letter read out by you in the House of Commons as having accompanied the documents you forwarded to the Governor General at Halifax. In the hurried allusion made to the circumstance in the course of the debate the fact has not been brought out that the letter in question having been enclosed in the sealed packet which was returned to you never reached his Excellency. As stated in his despatch, the only communication of which he was cognizant was the covering letter you wrote to him. The enclosed is not of very great importance and his Excellency considers that you were perfectly justified in referring to the document you quoted in justification of your course.

On the other hand it is desirable that the apparent discrepancies between the Governor General's despatch and your statement should be reconciled, and it is also obvious that the private note which you received from the Governor General, though an appropriate reply to your communication to me, would be open to misconstruction if taken as an answer to your letter to his Excellency enclosed in the sealed packet. Your letter to me gave no indication of the nature of the packet you forwarded to me beyond the general fact of their relating to the Pacific Railway enquiry. His Excellency has been until lately under the impression that your enclosures contained copies of fresh incriminatory matter, and it was in this belief he dealt with the case in the manner noted in his despatch."

"I have the honour to be, sir",

"Your obedient servant",

"H.C. Fletcher",

"Governor's Secretary".

"P.S.—I enclose a copy of the letter you enclosed to me."

(Copy)

"Montreal, July 21, 1873".

"To the Private Secretary of his Excellency the Governor General":

"Sir—I have the honour to transmit to his Excellency the Governor General certain documents and papers connected with the Canada Pacific inquiry".

"Your obedient servant",

"L.S. Huntington."

* * *

PRIVILEGE

Mr. CUNNINGHAM rose to a question of privilege. Some newspapers had referred to him as being capable of being purchased in regard to the vote, and as waiting for the time when the proper price would be offered. In order to make the House aware of certain facts he had written out a statement of what occurred yesterday. He was much pained to think that any man would be so misled as to give cause for these facts to be stated.

He then preceded to read a statement to the effect that yesterday, being unwell, he left word with the clerk of his hotel that he was not at home to anybody, but at half-past one o'clock, at the pressing instance of Mr. Graham, proprietor of the hotel, he consented to see a person who introduced himself as Alderman Heney, of Ottawa. This person referred to his (Mr. Cunningham's) speech of Thursday; suggested that he had not so committed himself as to prevent him from voting either way, and asked him to vote for the Government, telling him he knew all about the situation which the Government wished him to accept in the Northwest, and that he might have that situation, which would be made far better for him than was at first proposed.

He (Mr. Heney) went on to say that his (Mr. Cunningham's) expenses at the last election must have been great, and the Government would be willing to pay them and more. (*Opposition cheers.*) He said that he (Mr. Cunningham) could name any sum—one, two, or three thousand pounds, and it would be at once deposited and secured to him. He (Mr. Cunningham) was so

astounded at the conversation that he wished for time to consider—*(laughter)*—and asked Mr. Heney to return at seven o'clock. When he left the room he (Mr. Cunningham) met Senator Sutherland, to whom he communicated what had passed, and he also communicated the facts to two private and four Parliamentary friends.

At about seven o'clock Alderman Heney returned, and asked if he had thought over the matter. He replied in the affirmative, and Alderman Heney asked him what he intended to do. He asked for whom Mr. Heney was acting, and he said for the Government, and entered into a lengthy eulogy upon the Cabinet. He asked what his election expenses were. He (Mr. Cunningham) named the sum, and Mr. Heney said it was not enough, and told him to put it higher, and to name any sum if he would vote for the Government. He (Mr. Cunningham) asked what guarantee he should have of good faith, and Mr. Heney said the Government would never go back on their word. Although he had been more than once almost overcome with indignation, and on the point of ejecting the Alderman from the room, he restrained himself in order to see how far he would go. Accordingly he said: "Suppose I asked that \$5,000 should be put to my credit in a bank and secured to me so that I could draw it if I voted for the Government." Mr. Heney said certainly, and told him to call at his office in the morning at 10 o'clock and they would go to Mr. Noel and it should be done.

They then parted and he (Mr. Cunningham) informed Mr. Sutherland of what had taken place. He did not go to Alderman Heney's office and had avoided seeing him since. He did not charge the Government with being a party to this. *(Hear, hear.)* But he had given the facts as they occurred.

Mr. WHITE (Halton) said they had heard a very grave statement made by a member in his place, and he wished to ask the Government what steps they intended to take in regard to it.

Hon. Sir JOHN A. MACDONALD said the Government had scarcely had an opportunity of considering the statement which they had only just heard. He thought it was a most interesting communication. It seemed that an hon. member of this House had been approached by someone in a manner he thoroughly disapproved of, but instead of expressing his disapprobation he asked how much more he could get. *(Hear, hear.)* He should like very much to study that document and see whether the difference between the hon. gentleman and the person who approached him was in reference to the approach itself or to the amount. *(Hear, hear.)*

It was a most serious statement for any member to make. It was most serious that any member should allow any person, no matter what his position in the country, to make him an offer and should pretend that he was open to such an offer. *(Cheers.)* It was a most serious thing and would deserve the most serious consideration of this House, both as to how to deal with the person who approached the hon. member, and how to deal with the hon. member who allowed himself to be so approached. *(Cheers.)* Perhaps that hon. gentleman who allowed himself to be so approached had a fellow

feeling. *(Hear, hear.)* The document ought to be put on the votes and proceedings of the House, and after the House fully understood the nature and purport of the document, it would be for this House to say how this matter should be dealt with.

Mr. WHITE (Halton) said that in view of the importance of the case he felt it his duty to make a motion. He moved "that Mr. Cunningham, a member of this House, having stated in his place that an offer of money and other advantages were made to him yesterday, through Alderman John Heney, of the city of Ottawa, in order to induce him to vote for the Government on the pending motion before the House, an order of the House do issue directing that the Sergeant-at-Arms do forthwith take the said Alderman Heney into custody."

Hon. Sir JOHN A. MACDONALD: Seconded by whom?

Mr. WHITE (Halton): By Mr. Laflamme. *(Hear, hear, and laughter.)*

The SPEAKER asked Mr. Cunningham to put the paper which he had read in possession of the House.

Mr. CUNNINGHAM handed in the documents.

The motion then carried

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THE MERCHANTS' BANK

Hon. Mr. TILLEY brought down a return showing the balance in the Merchants' Bank, according to the Receiver-General's books, as compared with the amount as shown in the *Gazette*. This return showed that the amount not bringing interest averaged \$250,000. The difference was made up by the proceeds of a bill of exchange sold by his predecessor in February last, and left at five per cent interest as was done in the case of all bills sold. The balance was a deposit of \$560,000 in connection with the Pacific Railway, bringing five per cent interest.

* * *

RAILWAY EXTENSION

In answer to **Mr. TOBIN** as to why the Legislation of last session with regard to the extension of the railway from Richmond to Halifax city, had not been carried out, and what measures the Government proposed with regard to the same in the present session.

Hon. Mr. LANGEVIN stated that the Government had found that they could not obtain the right of way through the naval dock yard at Halifax, and under these circumstances they found, after the survey and the estimate by the engineer, that the change of a line by Water Street would require a much larger sum than the sum appropriated by Parliament. An Order in Council was, therefore, passed under which the new line by Water Street was to be adopted. The difference between the amount appropriated and the estimate would accordingly be placed in the estimates.

THE ADDRESS TO THE THRONE

The debate on the Address was resumed by

Mr. WHITE (Hastings East) who first referred to the serious nature of the charges and said, in justice to hon. gentlemen on that side of the House, that he had not since he had been in Parliament, and on that side of the House, been bribed either directly or indirectly by offers of money or position, nor had any alderman approached him with bribes.

The hon. member for Marquette should not have received the advances of the alderman. He, however, told him to call again, and gave him to believe he was open to corruption and open to be bought. The hon. gentleman's past acts justified the making of the offer. (*Loud cries of order.*) He did not intend to say anything personally offensive to the hon. member for Marquette. He had not a word to say against his private character, but he thought he ought to have refused all offers.

Hon. Mr. CAUCHON: This is not the question before the House. (*Cries of order from the Ministerial benches.*)

The SPEAKER said as to the propriety of adverting to this subject at all, he thought the hon. gentleman should leave that question to be debated by itself.

Mr. WHITE (Hastings East) then said the subject was one which should be entered into calmly, and stated that McMullen had entered into an agreement with an hon. member of the House to steal valuable documents.

Mr. DORION (Drummond—Arthabaska): The hon. gentleman ought to be called to order. He charges an hon. member with having entered into a compact for the purpose of stealing letters. This he understood to be quite out of order.

Mr. WHITE (Hastings East) said he only referred to what was reported throughout the length and breadth of the country, and if it were true, McMullen had been bought for gold to do what had been done.

Mr. LAFLAMME asked whether the hon. member intended to accuse him of having bribed McMullen to obtain the letters. If so he desired he would make the accusation in positive terms, if he dare.

Mr. WHITE (Hastings East) said if the hon. gentleman had kept his seat a few minutes he would have qualified his remarks, but it appeared that the shoe fitted. (*Order, order.*) If it were true McMullen surrendered \$17,500, it was natural to suppose that he did not do so without getting something in return.

Mr. LAFLAMME again complained that the hon. gentleman was out of order.

The SPEAKER thought the line of argument taken by the hon. gentleman was open to him. He was speaking of public rumours, and that which occupied the attention of the public outside the House.

Mr. WHITE (Hastings East) proceeded to say that he did not consider that the charges had been proved, and as an independent member he felt it his duty to give the First Minister the benefit of the doubt which existed in the case. After deprecating the course adopted by those who had deserted the Government ranks, he boasted the Minister of Justice (Hon. Sir John A. Macdonald) would be sustained by a majority of the House.

Mr. BODWELL, after referring to the gravity of the charges brought against the Administration, and the necessity for a condemnation of the course they pursued with regard to the corruption of the constituencies, contended that the charges made had not been met. They had simply been met by counter statements and counter charges in a general way. Such were the arguments put forward by the Minister of Customs (Hon. Mr. Tupper) and Finance (Hon. Mr. Tilley), and they also propounded the doctrine that corruption not only did but necessarily did, exist from one end of the Dominion to the other, and that the expenditure of money was a necessity in the election of members to this House. These hon. gentlemen seemed to forget that there were laws in this country to punish those who were known to be guilty of such offenses. (*Hear, hear.*)

The hon. gentleman who had just sat down, besides indulging in a counter accusation of corruption, had expressed surprise that he had never been approached and had never been offered money for his support. This was not at all surprising, for the hon. gentleman was well known to be in favour of the Government already, and if he expected that the Opposition would offer him any such inducements, he (Mr. Bodwell) was glad to be able to tell him that this was not the way that they gained support in this House or out of it. (*Cheers.*) The hon. gentleman on the other side made charges in a very wide and general way, but he defied them to the proof. (*Cheers.*) He, for one, was ready to vote for the expulsion from the House of any member on the Opposition side who was found guilty of such conduct. He was also sure that this was the sentiment of all the gentlemen on his side of the House. (*Hear, hear, and cheers.*)

He contended that the charges against the Administration had been fully established out of their own mouths before the Court constituted by themselves—proved to the satisfaction of the people of Canada, and the press of Great Britain. (*Cheers.*) He contended that the creation of the Royal Commission was unconstitutional, and a breach of the privileges of Parliament, and if we did not stand up against the infringement we must be prepared to bid farewell to responsible Government in Canada. The Government had received \$45,000 from Sir Hugh Allan to influence the elections in Upper Canada. How much more was not known (*hear, hear*). Gentlemen opposite undertook to show that this would be but a small amount spread over all the constituencies, but they forgot to say that this was but the contribution to one man, and there could be no doubt that there were large amounts contributed by the party generally for the support of Ministerial candidates. It was regretted by hon. gentlemen opposite that there was no Carlton or Reform Club in this country. He saw little reason for regret in it.

He contended that there was no further need of proof of a bargain than the letters and telegrams of Sir George-É. Cartier and Hon. Sir John A. Macdonald. He had heard the Ministers of Customs and Finance state that they had no part in the monies which had been got from Sir Hugh Allan, but still they were willing to stand or fall by the whole Government. It was a noble thing to stand by a wronged and ruined compatriot, when that compatriot was proved to be wronged, but he saw no great chivalry in doing so at the present juncture, when such grave charges had been brought home to these colleagues. It had been charged against the Opposition that they would inaugurate an obstructive policy with regard to the Pacific Railway. He denied this entirely, and contended that they would certainly carry on that work as the state of the country and its financial condition would allow them.

If hon. gentlemen wanted to know the policy of Opposition, they ought to look to the measures they had advocated in the past. The country expected that this House at this time would give no uncertain sound upon this issue. He was sorry, for the honour and reputation of the country that such charges could have been brought home to the right hon. gentleman at the head of the Government. He was a believer in party Government himself, but he believed there were times in the history of every country when all parties should lay aside their differences, and work for the common good of the country. He believed, also, that this was one of these occasions. (*Hear, hear.*)

He hoped that the verdict of this House would be such as would convince the world that political morality had not altogether departed from this country, and that the people and the Parliament of Canada were determined to put down, at all hazards, a system of corruption which bade fair to make their very name a reproach. (*Cheers.*)

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PRIVILEGE

Mr. Alderman Heney having been brought before the Bar of the House,

Mr. WRIGHT (Pontiac) stated he would defer his remarks for the present.

Hon. Sir JOHN A. MACDONALD stated that he had been very much surprised by the statement of the hon. member for Marquette (Mr. Cunningham). The statement had not been very clear, but since it was before the House, the House could see what the charge really was. It was quite impossible to do so until the statement was read. He therefore proposed that between now and seven-thirty p.m. the statement made by the hon. member for Marquette should be printed and placed in the hands of members. It was impossible to know what questions to put to the person at the Bar of the House without studying the statement.

Hon. Mr. MACKENZIE argued that the discussion on this matter should be postponed until nine p.m.

The SPEAKER gave orders that the Sergeant-at-Arms should be in attendance with Alderman Heney at that hour.

* * *

THE ADDRESS

Mr. WRIGHT (Pontiac) stated that he did not propose to go into the constitutional part of the question, since that had been discussed by abler men than him. He would not detain the House by reciting the oft-told tale of the prorogation, but he wished to approach the question in the spirit in which it was taken up by the people of the Province of Quebec.

He looked at the subject of the Pacific Railway to a certain extent in a sectional view. He felt there was nothing in which the County of Pontiac was more interested than the Pacific Railway. He said after the contract had been framed, in the interest of no particular section, but of the whole country, and when it was actually under contract it was with pain that he and his electors viewed the efforts of the Opposition to destroy it.

As a spectator in the gallery of the House when the Chief Engineer of the Pacific Railway brought in a report in favour of the eastern terminus of the Pacific Railway, and stated in that report that he had located the terminus of that road almost in the limits of the County of Pontiac, he had viewed the action of the Opposition with regret. When the hon. member for Bruce South (Hon. Mr. Blake) rose from his seat and insisted that the valley of the Ottawa River was not the proper route for that road, but that the great Province of Ontario demanded that it should be built along the southern boundary of Lake Nipissing, he felt that that was the mercy his Province was to expect from members of the Opposition.

When the hon. member for Durham West (Hon. Mr. Wood), who had said he approached this question from no spirit of partisanship, stated that every measure which was brought down for the good of the country was brought down by the Opposition, he was somewhat surprised. His political teaching had not taught him that, but he believed that it was to the hon. gentlemen who now sat on the Treasury benches the country owed all that was good and prosperous in the country.

In the absence of the leader of the Quebec Party, who had been taken from them by death, and looking to the right hon. member for Kingston, he would not, in the hour of his (Hon. Sir John A. Macdonald's) trial, desert him, nor would his electors wish him to desert that great statesman. It might be presumption in him long to detain the attention of the House. He would sit down with this explanation on his lips that he believed in the statesmanship of that hon. gentleman. He was loath to say that the gentlemen opposite had a fair line of conduct. When the hon. member for Shefford (Hon. Mr. Huntington) rose in his place and made these grave charges against the honour of the Ministry, he for one was appalled. But what had been the course since? He would venture to say that the hon. member for Shefford and the Opposition had receded from the charges. (*Cheers.*)

Was it that money was spent at the election? Not at all. The gravamen of the charge was, that for gold—and that American gold—the Ministers of the country had sold the Pacific Railway charter. There was no man sufficiently dead to the interests of the country who would object to the employment of American capital in the ordinary enterprises of the country. He might say that large representatives of capital from the United States had come here and settled, and that they had contributed more to the interests of the Ottawa Valley than had been contributed by the fact of the seat of Government being settled here. But he would have objected to that, gold having come from the Northern Pacific Railway; and had the charge of the hon. member for Sheffield been sustained, that hon. gentleman would have had no warmer supporter than himself.

He would say that he did not think it was good taste on the part of the Opposition to bring into the precincts of the House charges made by a man outside of the House. Let him get a seat in the House, but do not expose him to the opinion of the House without a seat therein. For the reasons he had given, he wished to proclaim to the House and the country, and to his constituents, to whom his word would go forth, that he had undying faith in the right hon. gentleman at the head of the Government and his colleagues; and that he intended to support with all his might and main the amendment of the hon. member for Pictou.

Mr. MILLS said it seemed to him that there had been some misapprehension as to the issue created by the amendment to the amendment submitted to the House by the hon. member for Pictou (Hon. Mr. McDonald).

That hon. member had presented a motion of a most extraordinary character, a motion which, it seemed, to him had not been considered before the House, was asked to vote upon it.

When they looked at the amendment to the amendment to his hon. friend for Lambton (Hon. Mr. Mackenzie), they found the hon. member for Pictou asked the House to declare that there existed throughout the country at elections a general system of corruption, a system of corruption not only upon the Ministerial side of that House, but also upon the Opposition side of the House. If a motion of that sort were supported by the House they would at once declare that they were unfit to transact business of any kind. If the representatives of the people in this House had been elected to their seats by a general system of corruption, it was important that the Crown should dissolve Parliament and that a new election should take place. He thought the logical sequence growing out of the amendment to the amendment, if it should prevail, would lead to the dissolution of the House of Commons. How could they transact the business of the country after they had declared themselves that they had obtained their positions by using improper means at the polls? He, for one, was not prepared to support a motion of that sort, as he would state with regard to his conduct in the matter, that he had not obtained his position as a representative of his constituency by illegal or improper means. (*Applause.*) And he must, therefore, oppose the amendment to the amendment. If hon. gentlemen on the other side of the House thought the motion was

one they could sustain, he would not question their conduct. He apprehended there were gentlemen on the other side of the House who had obtained their positions by the unbiased support of a majority of their constituencies. Those who had so obtained their present positions, whether they approved or disapproved of the conduct of the Administration, must oppose the amendment in question. They had been told by the Minister of Finance that the use of money in elections was not an improper proceeding and that money might be properly used for the purpose of taking voters to the polls, which was contrary to law. He also contended that the man who employed money would succeed, if the opposing candidate did not employ money.

Hon. Mr. TILLEY said he referred to the law in New Brunswick, which did not touch that point.

Mr. MILLS continuing said that the hon. gentleman had assured them that such expenses, as he had referred to, were legitimate and that if the money was spent in that manner they had no right to find fault. In alluding to the differences which existed amongst the hon. gentleman, he said hon. gentlemen on the opposite side of the House argued that there was nothing wrong in obtaining money from a gentleman who was a contractor for the Government, so long as the Pacific charter itself was not sold. They said, you do not show that the money was given for the charter. If that were admitted, then they would say it was properly enough obtained, and there was nothing wrong in taking the money and expending it in the way it was spent. He (Mr. Mills) maintained that it was improper to take the money, although there might have been no bargain, as they were not at liberty to deal, under the circumstances with him as with other parties.

He was prepared to support the motion of want of confidence, if nothing had been proved in regard to the Pacific Railway charter, because he entirely disapproved of the policy they had pursued. The Administration should always have a policy by which they were prepared to stand or fall. The House was aware that this had not been the case. In England the Administration put forward a policy for which they sought the approval of their party. The existing Government was practically a personal Government. With regard to the Pacific scandal, he said not once had sufficient evidence been disclosed under the illegal Commission to justify them in condemning the Administration but the conduct of the Administration, during the time these charges were first made was such as would justify the House in censuring them for the course they had pursued.

What had been the last act in reference to the matter? The despatch of His Excellency had been improperly and irregularly laid upon the table. In Great Britain it was improper to quote the opinion of the Crown in any matter before Parliament. The despatches of His Excellency were placed upon the table of that House for the purpose of influencing members in reference to the question now under consideration. (*Cries of order from the Ministerial benches.*) He thought there could not be two opinions as to the reason for laying these despatches before the House.

Hon. Sir JOHN A. MACDONALD said it was incorrect for the hon. gentleman to state that the representative of the sovereign send down certain despatches for the purpose of influencing the House.

Hon. Mr. HOLTON thought the hon. gentleman was entitled to deal with these despatches as they had been laid upon the table, and with the advice of the hon. gentleman opposite, under which the despatches were brought before the House.

The SPEAKER: No doubt the hon. member might criticise the subject of the despatches. The point was that the despatches were sent down with a view of influencing the House. That, he thought, was not a line of argument which should be pursued.

Hon. Mr. MACKENZIE said he understood the contention of the hon. gentleman was that the advice tendered, upon which the despatches were brought down, was advice which should not have been given.

Hon. Sir JOHN A. MACDONALD said he was glad his hon. friend had reduced it to this one point—that the advice on which the despatches were brought down ought not to have been given. The despatches were sent down by the representative of the Sovereign in order to place the subject in a correct position. The Government offered no advice upon the subject.

Hon. Mr. BLAKE said the statement of the hon. gentleman was irregular in the last degree. It was not possible that these despatches could be sent down without the responsibility of the Ministers of the day. (*Hear, hear.*) They had the right to express any opinion or to make any motion or proposition that that advice ought not to have been tendered, that His Excellency was ill-advised and misled in sending them down, and that that ill advice and misleading was for the purpose of swaying this debate under cover of His Excellency's name. (*Cheers.*)

Hon. Sir JOHN A. MACDONALD said he could only say he was quite willing to submit to censure for having allowed, if the word allowed was a correct word, these despatches to be laid before the House. He thought that the Sovereign in this country was not only a word, but was an identity, that he had certain power, and that if he supposed it necessary for the due understanding of his position that certain papers should be sent down, then they should be sent down, as they were sent down. He would like to know if gentlemen opposite impugned the position that the Governor General had a right, as representative of the Sovereign, to send down to this House, for its consideration, such documents as he pleased or as he thought expedient. If that doctrine was not adopted, what would be the case? The connection between England and Her Colonies, which was supposed to be a real vital connection, was a mere sham. The Governor General as representative of the Sovereign had a right to communicate to this House what information he pleases.

Hon. Mr. HOLTON: On the advice of his Ministers? My position is that the Crown cannot communicate with this House

except upon the advice and responsibility of the Ministers. (*Hear, hear.*)

Hon. Sir JOHN A. MACDONALD said they differed *in toto*. The position he took, and the position taken by the hon. gentleman, were as diverse as the poles were asunder. The hon. gentleman said that the Governor General cannot make any communication except what his advisers in this country shall advise him to make; now, if that be so, where is the connection with the mother country? (*Laughter.*) If it be true that whatever His Excellency does is under the advice of his Dominion advisers, how can it be said in any way that he represents Her Majesty?

Hon. Mr. CAUCHON said he hoped the leader of the Government would not keep that extraordinary position. He contended that these despatches could not be brought down, except on the advice of His Excellency's Ministers, and when they were brought down they had a right to discuss them. Why were they here? If the Governor General, as an Imperial officer, defended his own position to his Imperial master, they had nothing to do with that. His defence could be laid before the Imperial Government, and when it came back here, we might judge it.

Hon. Mr. MACKENZIE: He would refer to an authority which could not be disputed. They laid down the doctrine in this way. The irregular use of the Queen's name to influence the decision of the House is unconstitutional in principle and inconsistent with the independence of Parliament. Where the Crown has a distinct interest in the measure, there is an authorized mode of communicating Her Majesty's recommendations, but Her Majesty cannot be supposed to have a private opinion apart from that of her responsible advisers, and any attempt to use her name in a debate to influence the judgment of Parliament would be immediately checked or censured.

In a remonstrance of the Lords and Commons to Charles 1st, 16th December, 1641, it was declared that it is their ancient and undoubted right and privilege that Your Majesty ought not to take notice of any matter in agitation or debate in either of the Houses of Parliament, but by their information or agreement and that Your Majesty ought not to propound any condition, provision or limitation to any Bill or Act in debate or preparation in either House of Parliament, or to manifest or declare your consent or dissent, approbation or dislike of the same before it be presented to your Majesty in due course of Parliament.

On the 17th of December, 1783, the Commons resolved that it is now necessary to declare that to report any opinion, or pretended opinion, of His Majesty, upon any bill or other proceeding depending in either House of Parliament, with a view to influence the votes of members, is a high crime and misdemeanour derogatory to the honour of the Crown, a breach of the fundamental privileges of Parliament, and subversive of the constitution of this country. He said he deprecated the introduction of these despatches during the debate, because they already heard two members declare that they were influenced by the opinions expressed in these despatches.

Hon. Mr. BLAKE said he desired to point out that the hon. gentleman opposite had raised a phase of the case which was not open on the present occasion. He had made the suggestion that in his character as an Imperial officer, His Excellency might have certain independent rights of communication with this Parliament. He (Hon. Mr. Blake) did not so believe, but admitting it for the sake of argument, it was not pretended by anyone the despatches sent down here were despatches from the Imperial Government, or were in any shape, way, or sense, communications from Her Majesty or from Her Majesty's advisers in England.

They were despatches sent by His Excellency to the Colonial Secretary. They were an expression of His Excellency's opinions and his recitals of certain facts, and, therefore, in order to sustain his argument, and make it applicable to the present case, the hon. gentleman would be obliged to establish that the opinion of His Excellency and the statement of facts by him, communicated or not communicated to the Imperial authorities, was a fit subject of communication to this House without the advice of the responsible Minister. In order to preserve that immunity from observation the Constitution as applicable to the head of the Executive, it was absolutely necessary that we should denounce that doctrine. It was absolutely necessary that if this Parliament be wronged by such communication, we should have Ministers who are responsible to us for the wrong. (*Loud cheers.*)

We should repudiate that idea. He was sure His Excellency knew his position too well for one instant to do anything which might bring him in conflict with the people over whom he rules, but a wrong had been done, and it was his Ministers who did it. Then we can condemn, or approve, as our judgment shall command, while the head of the Executive remains in that severe altitude, which he had above Parliamentary condemnation or approval. (*Cheers.*)

Hon. Sir JOHN A. MACDONALD said this was a question of vital importance for the connection between England and Canada. He repudiated the doctrine announced by the member for Bruce South (Hon. Mr. Blake) and he said it was the first gun fired for the disseverance of the Colonies from England. (*Derisive cheers.*) We could not buy any assumption of our own power, by an exaggeration of our power, by taking a position that we cannot sustain, prevail against this fact, that we were a Colony, a dependency of England. If this House would keep that straight before them; if in their discussion they would remember that we were a dependency of England, and, being a dependency, we must submit to the control and the restraint and the restriction of being a dependency, then there would be no difficulty. If we had got too large for that condition, if it be true that we were repining against these restraints, if we desired to give up the position of colonists, then we would take the ground of the hon. member for Bruce South, but if it be a fact, and it was a fact, that he gloried in and that a majority of this House gloried in, that we were still a dependency, still a subordinate authority, that we were still bound to submit to Imperial control, if that be true, then the doctrine he laid down was true. The hon. gentleman cannot be a subordinate and independent at the same time. He could not be the captain and the mate at once.

We exist by statutory authority, we have yet no common rights. So long as we were colonies, we must submit to the condition of things consequent upon that subordination. Are we not a colony? Do we not submit to Imperial authorities and ought we not to do so?

When Her Majesty sent her representative here with a special Commission, he had certain powers and certain duties and certain responsibilities, and among these duties and these responsibilities are the responsibilities which must weigh upon him primarily, namely, to perform his duty to his sovereign, who gave him his commission. Well, what was the commission? It was to govern this country according to its limited Constitution—to the statutory Constitution which we have got; and if he sees that by any act, or by any movement, or any authority, constituted or not constituted in this country, this commission of his was in any way controverted, it was his bounden duty to take the position consequent upon obedience to the authority he may have received from his Royal Mistress.

Certain gentlemen might say that they ought to have tendered advice, but he said that from his reading of the Constitution he believed the Governor General of this country had the right to send down in his principal capacity any communication that he might choose to make to this House, even if it be against the advice of his Ministers. (*Oh! Oh!*) He could quite understand that the Governor of a Province, having got direct instructions to convey certain things to the Legislature, would do so, against the advice of his Ministers. (*Oh! Oh!*) He could quite understand that the Governor of a Province having got direct instructions to convey certain things to the Legislature, would do so, against the advice of his advisers, and if he did not do so, then what mode had the Empire of communicating with the colonies—in what way could Her Majesty communicate with a colony, if it so happened that the Ministry for the time being did not choose to make that communication.

Hon. Mr. HOLTON: He can dismiss them and find Ministers who will take the responsibility.

Hon. Sir JOHN A. MACDONALD said he was glad he had brought the hon. gentleman to that position, that the Governor General might dismiss his Ministry, though they had a majority in Parliament, and because they would not do so and so, as the Governor wished. Was that the proposition of the hon. gentleman?

Hon. Mr. HOLTON: My proposition is that the Governor General in this country occupies the position of the Sovereign in England, so far as our Parliamentary system is concerned. The King can do no wrong, why? Because the King can perform no act; the Governor General, with reference to our affairs, can perform no act without the advice of responsible Ministers. That is my proposition.

Hon. Sir JOHN A. MACDONALD said the hon. gentleman was altogether wrong, and he did not defend the proposition he announced a minute ago. That was a slavish principle, that the Governor General could send for a Ministry having control of Parliament and say "If you do not do so and so, you may go." What

he (Hon. Sir John A. Macdonald) said was this, we could not have dependence and complete sovereignty.

He would give the hon. gentleman an instance of how wrongly his doctrine would work. The hon. gentleman might remember the time when the Empire ran riot on the question of free trade. There were certain principles laid down in favour of free trade, which were considered to be vital, and which the Imperial Government were anxious should prevail in the Colonies. Suppose Her Majesty's Government had instructed the Governor General of Canada to send down to this House a despatch stating that free trade must be carried unconditionally. Suppose that the members on both sides of the House did not agree to that dispatch: if the doctrine of the hon. gentleman was carried out, the Governor General must either resign his office or the Government must resign.

Hon. Mr. BLAKE: Is that this case?

Hon. Sir JOHN A. MACDONALD said he was not so much concerned in asking whether it was this case, as he was concerned in asserting a general principle.

Hon. Mr. BLAKE: Which does not apply.

Hon. Sir JOHN A. MACDONALD: If we lay down a general principle, it will be very easy afterwards to settle this case. With reference to these despatches, the Governor General had a right to send them down if he thought proper. No Government could resist if the Governor General, as an Imperial officer, desired to send these papers down. More than this, he would tell the hon. gentleman that no matter who the Governor General might be, no matter what the despatch might be, no matter whether it would be the ruin of the Government or not, whenever the Governor General, as representative of the Sovereign, asked him, as a member or the Government, to send that information down to Parliament, he was not the man to refuse. He could not understand how any communication from the Sovereign, or representative of the Sovereign, that could in any way be of any use to this House, could be rejected. If it be so rejected, it was because there was a desire to refuse information rather than received it. (*Feeble cheers from a few members on the Government side.*)

Mr. MILLS resumed his argument. He discussed the events that transpired after the rejection of Mr. Huntington's motion, and in reference to the plea that the Committee should not proceed in the absence of Sir Hugh Allan, in order that he might be present to cross-examine witnesses, he observed that when the Commission met, Sir Hugh Allan was not allowed to cross-examine witnesses, though he applied through his counsel for leave to do so. He also discussed the constitutionality of the Oaths Bill, and argued that it could not be decided by the English law officers but upon a case submitted to the Judicial Committee, and argued on both sides. For his part, he maintained that it was *ultra vires*.

It being six o'clock the House rose.

AFTER RECESS

Mr. MILLS resumed the debate. He said that so far as the construction of the law was concerned the judgment of a Court was not considered authoritative, and cited precedents from the English Courts in support of his statement. If so much care was taken in an ordinary Court, how much more important was it that care should be taken in a question of constitutional law. He contended that it was a most unfortunate thing that the questions of constitutional law should be decided by the law officers of the Crown in England on the *ex parte* statements of the Ministers. Such decisions could not be considered authoritative and did not in other Colonies settle such questions.

They should be submitted to the Privy Council and be argued there and an authoritative judgment given by this court of competent jurisdiction. Several questions had arisen in this country which had given a good deal of dissatisfaction. Not only the disallowance of the Oaths Bill and the prorogation.

At this juncture Mr. Dodge entered the House and took his seat, being welcomed by cheers from the Ministerial Benches.

Mr. MILLS continued. He knew that the statement was made by the Hon. Minister of Justice that the House would meet *pro forma* and prorogue on the 13th August, but he contended that this could only have been meant if the report of the Committee had entirely exculpated the Ministers.

Hon. Sir JOHN A. MACDONALD: I would ask the hon. member if when the House consented to that arrangement he considered that the statements of the hon. member for Shefford (Hon. Mr. Huntington) would be disproved.

Mr. MILLS: Most certainly. After the statement of the hon. Minister of Justice that there was no shadow or tittle of evidence to sustain the charges of the hon. member for Shefford, could the Ministers have continued to hold office if the report of the Committee had been incriminatory? He contended that the Ministers, when the Committee adjourned, should have put a notice in the *Gazette*, calling the House for business on the 13th of August. He contended that there was no power in the Act to issue the Commission. The best proof that the Commission was not according to the law was the fact that the hon. member for Shefford, who had been summoned as a witness, had not been arrested for refusing to attend. The Commission had been issued on account of the statements made in the House by the hon. member for Shefford. Now a member for the House could not be called to account for statements made in the House.

Hon. Sir JOHN A. MACDONALD: Supposing the hon. member for Shefford got up in the House and accused me of committing a larceny, and supposing I were indicted before a Court of Oyer and Terminer, would the hon. gentleman have a right to give his evidence to the Court in order to convict me of the larceny, on the ground that he was a member of the House? (*Hear, hear.*)

Mr. MILLS: By the Bill of Rights it was expressly provided that a member could be questioned or be brought to task for no word uttered in Parliament, except by the High Court of Parliament itself, and the issue of the Commission to do so was unconstitutional and without precedent.

With regard to the express wording of the amendment of the hon. member for Lambton (Hon. Mr. Mackenzie), the number of acts separate and distinct in themselves which constituted the policy of the Administration for the past few years, pointed to the conclusion that they were guilty of taking money for the purpose of carrying the elections. From the time this Commission began its enquiry up to the day Mr. Campbell was examined, the witnesses called all knew nothing, and the whole enquiry appeared from the beginning to be prosecuted with the intention of proving by implication that all the charges were untrue.

The tone of the Ministerial journals from the first was in the same direction, from the day that Mr. McMullen's letters were published; but the day that Mr. Campbell appeared before the Commission the tactics were changed, and he could think of no other reason for this than that the Government had, by this time, come to the conclusion that unless some face were put upon it, they would undoubtedly have to submit to a Parliamentary enquiry, and they, therefore, had better admit a certain portion of the charges, as much as they thought it would be safe for them to do—more, as it would appear, that they were quite safe in doing.

But there were other things in this report which it was well that the attention of the House should be called to. There were discrepancies between the reports appearing in the newspapers and the report contained in the blue book of the evidence adduced before the Commission. The questions were not the same as those appearing in the newspapers. Important statements which appeared in the public journals were omitted, and the answers to many of the questions were considerably changed. Sometimes the formation of both questions and answers were so much changed as to give an entirely different meaning to the evidence. Why was this so? He did not know. It might be said that the newspaper reports were not correct, but, as a rule, when two independent authorities accorded in a matter of this kind, as was the case with two leading journals on this point, it was pretty good proof of their correctness.

He referred to the evidence of Sheriff Leblanc, of Montreal, in proof of the assertion that Sir George-É. Cartier knew when he was dealing with Sir Hugh Allan that he was dealing with the American Company. Then they had the sworn testimony of Sir Hugh that he obtained the charter for a certain monetary consideration, and the compact, so far as Sir George was concerned, was not withdrawn. Apart from there being any contract, it was a highly improper proceeding for the Government to accept money from Sir Hugh. He considered that there was evidence of a bargain. How came it that when they were discussing the question of the charter that \$25,000 were promised to aid in the elections?

He considered there was sufficient evidence of an improper understanding having existed between the Government and Sir

Hugh, and he had not confidence in the policy the Government had pursued, and for these reasons he would support the amendment of his hon. friend the member for Lambton (Hon. Mr. Mackenzie). The manner in which the matter had been conducted also led him to the conclusion that it would be improper for him to support the First Minister of the Crown. (*Cheers.*)

Hon. Sir JOHN A. MACDONALD [then rose and was received with deafening cheers, which lasted for some minutes]: Mr. Speaker, I had not intended to address you on the two motions now before the House, and the reason why I did not so intend is that I had already given my testimony on oath, and in that testimony I had endeavoured, notwithstanding the statement of the hon. gentleman who has just taken his seat, to state the whole case as far as I knew it, according to the best of my conscience, concealing nothing and revealing everything. Therefore, I did not think it well, according to the ordinary rule, that I should attempt in any way to supplement my statement on oath by my statements not on oath. (*Cheers.*)

However I have been taunted, not in the House certainly, but I have heard it elsewhere and have seen it in the papers that I have been withholding my statements; that I have been keeping back, and that I dare not meet the House and the country.

Sir, I dare meet this House and the country. (*Cheers.*) I know too well what the House and the country will do, and what the feeling of the country will be, when they know all the facts. They know many of them now, and those they do not know I shall endeavour presently to enter upon.

But now I enter upon the subject which is most interesting to this House—the question whether the Government or any members of the Government were in any way implicated in the giving or granting of a charter, or of a privilege of any kind to men for corrupt motives. I shall allude to one or two subjects which a short time ago assumed prominence in the opinion of the country, but which in the course of the present debate have almost sunk into insignificance.

A short time ago, from the 13th August till now, we heard nothing else but the unconstitutionality of the prorogation; nothing else but that a great wrong had been committed on the privileges of the House. Although I was here for only a few minutes before the House was prorogued, if I remember aright, this Chamber rung with charges that the privileges of the House had been invaded. I not only heard the voice of the hon. member for Châteauguay (Hon. Mr. Holton), but I saw his hand brought down, with the ponderous strength of the hon. gentleman, on his desk, when he called "Privilege!" and all because the representative of the Sovereign had exercised a prerogative conferred upon him by law. The hon. gentleman was committing an anachronism.

There were days when the prerogative of the Crown and the privileges of the people were in opposition. There were days—but they were days long gone by, and there was no necessity for any attempt to revive them now—days when the prerogative of the

Crown was brought in opposition to the will of the people and the representatives of the people, and then, as was proper, the will of the people was paramount, and when the Crown opposed it, by prerogative or by excess of prerogative, the head of the Sovereign rolled on the scaffold. But, Mr. Speaker, those days do not exist now, and I am happy to say that at this moment in this age, the prerogative of the Crown is a portion of the liberties of the people. (*Cheers.*)

Centuries ago, as I have said, the time was when the Sovereign could come down with his strong hands and could seize, or attempt at all events to seize, a member of Parliament for performing his duty in his place. The day was once when the Sovereign could come down and could banish and send to the tower, and even as has been known, could send to the block, members of Parliament for defending the privileges of the people.

But when the Sovereign is no longer a despot, when the Sovereign is a constitutional monarch, when the Sovereign takes his advice from the people, when the Sovereign in his act of prerogative takes his advice from a committee selected from the representatives of the people and from the other Chamber, which other Chamber has its power resting upon the basis of the will of the country and the will of the people, then I say there is no danger of the prerogative being used unconstitutionally; but the great danger of the country here, as in England, is that the prerogative may not be strong enough to resist the advancing wave of democracy. (*Cheers.*)

And, Sir, when in the undoubted exercise of the prerogative of the Crown the representative of the Sovereign came not to this Chamber but to the proper Chamber, and announced his will, as the representative of the Sovereign, that Parliament be prorogued, he committed no breach of the privileges of this House or the other House of Parliament, and made no infringement on the liberties of the people. (*Cheers.*) It was charged that a great breach of the Constitution had taken place.

True it is that we heard in a sort of minor key from the *Globe*, which had some character to lose, that although it was very inexpedient, it was no breach of the Constitution. But every other paper, I believe, every organ of hon. gentlemen opposite except the *Globe*, stated that there had been a great breach of the Constitution and of the privileges of the people on the floor of Parliament, and they were countenanced by the voice and clamour of hon. gentlemen opposite. (*Cheers.*) We might pardon them, perhaps, because we have seen cases of a similar kind in England, and therefore I can quite understand it, and I do not much blame them, as showing the momentary feeling of disappointment at the exercise of the Royal prerogative, preventing the extension of the excitement into debates in a subsequent session.

In 1820, at the time of Queen Caroline's trial, when the bill was pending, when it was resolved to withdraw the bill, and when the motion for the six months' disposal of that measure was carried, there was an outburst when the knock of the Usher of the Black

Rod was made at the door—an outburst of indignation on the part of the Queen's friends because they had no opportunity of expressing their feelings against the course which had been taken. Parliament, however, was prorogued, notwithstanding the storm of indignation that arose at the time.

On a still later occasion, at the time of the Reform bill, in 1831, we can remember how the House was almost in mutiny, and how that staid gentleman, the Duke of Richmond, almost declared himself in rebellion against his Sovereign. Sir Robert Peel at the very moment the Usher of the Black Rod knocked at the door was making a most indignant protest against prorogation for the purpose of dissolution. Therefore when such staid men and men of such high position could take that course, we can perhaps pardon hon. gentlemen opposite for having betrayed an unseemly warmth on the 13th of August because the prerogative of the Crown was exercised as the Crown had the right to exercise it.

God forbid that the day should ever come in England or in Canada when the House of Commons should be so strong as to prevent the exercise of that prerogative; when the House of Commons, the people's representatives, should usurp the power of the Crown and sit *en permanence* and declare that they would decline to be prorogued, then the liberty of the people of England and Canada as sanctioned and secured by the British Constitution will be gone. Perhaps we might get other liberties from other constitutions, but the British Constitution is gone forever whenever the day shall come that the Sovereign cannot send a message saying the representatives of the people, the Upper Chamber, are prorogued at the will of the Sovereign.

Therefore, it occurs to every hon. gentleman who has considered the subject well, that the question of constitutionality cannot exist for a moment and that a question of privilege set up against prerogative is altogether a false cry, an untenable cry, a cry unconstitutional and unwarranted by law. (*Cheers.*) The prerogative at present is valuable only as one of the liberties of the people, and it is one of the liberties of the people because it is guided, as I said before, by the advice of Ministers responsible to the two Houses of Parliament, not alone to this Chamber. The prerogative is not dangerous. There is no hazard that any one of our liberties, personal or political, will be endangered, so long as the prerogative is administered on the advice of a Minister having the support and requiring support from the two Chambers of Parliament. (*Cheers.*)

The question then comes whether the present Ministers of his Excellency the Governor General were justified in recommending the prorogation on the 13th day of August. Sir, if they had not given that advice they would have the Sovereign to break his word; they would have advised the Sovereign to commit a breach of faith against every absent member of Parliament. I can say in the presence of this House, in the presence of the country, and in the presence of the world, if the world were listening to our rather unimportant affairs, that if ever a pledge, if ever a bargain, if ever an agreement or arrangement was made, it was that the House should be prorogued on the 13th day of August.

Some of the gentlemen who have spoken, I won't tax my memory as to which of them, have made the constitutional objection that the House never agreed to the prorogation on the 13th of August. Sir, the House had nothing to do with it. It is not a matter of agreement between the Sovereign and the people; it is a matter of prerogative. Did any educated man, any man who knows what the Constitution in Canada or what the Constitution in England is, believe that I, the First Minister of the Crown, could get up in my place and tell this House that on the 13th August it would be prorogued, and that on that day there was no real necessity for members being present, because it was to be merely a formal meeting? That I, a Minister of nearly twenty years standing—*(hear)*—who ought to know by practice, and do know by study, somewhat of the British Constitution, should make that announcement unless I had got the authority of my master; had got the sanction of the Crown?

As a matter of course, as his Excellency has stated in the answer he made to the gentlemen who waited upon him, I submitted the proposition to his Excellency and took his pleasure upon it, just as the First Minister in England would take the pleasure of her Majesty as to the day on which prorogation was to take place. I got the sanction of his Excellency the Governor General to make that statement, and if I had not got that sanction I do not believe the House would have agreed to the long adjournment. *(Hear, hear.)* Why, there was a protest made by my hon. friend from Cariboo (Mr. Thompson) on that point, and there was a general feeling in the House. There was an obvious and universal feeling, and there was no objection made to it, that it was quite absurd to suppose that we would return in midsummer, after a winter session from all parts of the country for the purpose of receiving the report of this Committee. *(Hear, hear.)*

I made that statement to this House and every hon. member, the hon. gentleman at all events on the front benches, the hon. gentlemen who hope, and perhaps will succeed in their hope, to take positions where they will be responsible for carrying on the Government under constitutional principles, could not have supposed that I would venture, as the first Minister here, to make a statement to Parliament that it would be prorogued on a particular day, unless I had the sanction of the Crown for making such statement. *(Cheers.)* That sanction I sought and that sanction I obtained.

We will look back for a moment to see whether I was right, whether the Government was right—in speaking of myself I speak of myself and my colleagues—whether we ought to receive the sanction of the House in giving that advice. Let us look back to the circumstances of the case. I invite the careful attention of the House, and especially the attention of those hon. members who were not members of the Parliament of Canada at that time, to the circumstances of the case.

In February, I think it was, there was a Royal Charter given for the purpose of building a Pacific Railway, to the Pacific Railway Company. They went home,—their President Sir Hugh Allan and certain other members of the Board—for the purpose of attempting

to carry out this charter which had been given to them. The charter had been given to them according to the vote of the Parliament of Canada, and every clause of it was in accordance with the provisions of the law passed by the Parliament of Canada. *(Cheers.)* These gentlemen had gone home to England to lay a great scheme, so great a scheme, Mr. Speaker, that some of the hon. gentlemen opposite said that it was going to over tax our resources and destroy our credit, and that they could not succeed at all with so small a population in such a young country. They had gone home to England to lay the project before the English world and European capitalists. They were going there to operate, and it depended much on the support they received from this country, from the Parliament and press of Canada, whether they could succeed or not. They had gone home in February.

Parliament met early in March, I think. The hon. member for Shefford rose in his place and made his charge against the Government on the 2nd of April. The hon. gentleman may have been, I do not say he was not, actuated by principles of fine patriotism in making that charge; but whether he was so actuated or not, whether his motives were parliamentary or unparliamentary, patriotic or unpatriotic, one thing is certain, that the direct aim, the direct object, the point at which that motion and that statement were directed, was to kill the charter in England. *(Cheers.)* The weapon was aimed with that object, not so much with the desire of destroying the Administration, not so much with the purpose of casting a reflection upon the Ministry, as with the view of destroying that first on the expectation that the Ministry would fall afterwards. That was the aim; there was no doubt about it, and when the hon. gentleman's motion was defeated, and when I took up the resolution the aim was well intended—the desire of killing was well intended—but it failed in the execution. *(Hear, hear.)*

When I took it up I considered the whole position of events. Sir Hugh Allan and those connected with him went to England in March. Parliament was sitting at the time the hon. gentleman made his motion. I could not know how long Parliament would last, and the chances were that they would return some time before the end of the session. If they did not return then, of course I considered that there could be no examination until they did, but I thought they might return. I declare that I never for a moment supposed that the hon. member when he made his statement, could be guilty of such great, such palpable, such obvious injustice, as to press his Committee in the absence of Sir Hugh Allan, Mr. Abbott and Sir George-É. Cartier, when they had no opportunity of defending either themselves or the charter which they had obtained.

The House must remember also that the motion made by the hon. gentleman went much further than my motion. The motion of the hon. member, which he moved on the 2nd of April, was not only to inquire into the facts that he mentioned, the statements upon which he based his motion, but to go into the whole of the subject connected with the charter and the granting of the charter to the Pacific Railway Company. The aim of his motion was to destroy that charter.

I will read the motion of the hon. member. After detailing the facts, he moved "that a Committee of seven members be appointed to inquire into all the circumstances connected with the negotiations for the construction of the Pacific Railway, with the legislation of last session on the subject, and with the granting of the charter to Sir Hugh Allan and others." So that the aim of the hon. gentleman in making that motion was not simply to attack the Government, not simply that from improper motives or inducements of any kind they had given the charter, but was for the purpose of destroying that charter and of attacking all the legislation of the previous session on which the charter was based.

I never for one moment supposed that any hon. member would be guilty of the gross injustice of attempting to attack the whole of the legislation of the previous session and the charter solemnly granted under an Act of Parliament, and of attempting to affect vested interests on which a million of money had been staked, in the absence of the persons primarily interested. That motion was made, and was intended to be a vote of want of confidence. Was that so? Or was it not so? Will the hon. gentleman say it was not so?

Hon. Mr. HUNTINGTON: The motion when made was intended to express precisely what it did express. (*Laughter.*)

Hon. Sir JOHN A. MACDONALD: It is said, Sir, that if there had been one honest man in the cities of Sodom or Gomorrah they might have been saved; and so the Opposition may be saved in the same way, for they have one honest man in their ranks—the member for Wentworth South (Mr. Rymal)—who stated that that motion was intended to be a vote of want of confidence. Everybody knew that that was its design (*Hear, hear*), and yet at this day, at this late hour, the hon. gentleman (Hon. Mr. Huntington) had not the manliness to get up and say so. (*Cheers.*) He dare not say it was not a motion of want of confidence. It was meant in that way, and I can prove that it was by my hon. friend the member for Wentworth South. I call him the hon. gentleman and I believe him. He said it was so. Will the hon. gentleman not believe him? Although differing from him in politics, I know he would not say what was not true. If I remember rightly, the hon. member for Shefford said he would make the motion when we went into Committee of Supply. He gave the necessary notice that is always given in such cases, and I certainly supposed that he intended to make a general motion on our policy connected with the Canadian Pacific Railway. He said he was going to make a motion on that subject, and it was by mere accident that when my friend, the Minister of Finance (Hon. Mr. Tilley), rose to make his Budget speech, with you in the chair, instead of a Committee of Supply, the hon. member said he would take another opportunity of making the statement in connection with the Pacific Railway. Had we gone into Committee of Supply, the hon. gentleman would have made, in the ordinary Parliamentary way, his motion of want of confidence. But, besides, if this House wants any other witness than our own common sense, which goes for something, in the next place there is evidence of the hon. member for Wentworth South, which goes for something. (*Cheers.*)

I would quote an authority which hon. gentlemen opposite don't pretend to despise, that is the authority of the *Globe*. (*Renewed cheers.*) We have also the authority of *The Mail*. *The Mail* publishes articles which we sometimes approve of, and sometimes don't approve of, but no article in all my experience that has ever appeared in the *Globe*, and no proposition made therein has been denounced. They have all been accepted by hon. gentlemen opposite. Now, what did the *Globe* correspondent of the 1st of August say? He said "Mr. Huntington's motion, of which he gave notice today, we suppose will refer to some transactions brought to light by the Americans who have been concerned in these Pacific Railway transactions from an early date. Tomorrow is looked forward to as a grand field day in the Commons. Hon. Mr. Huntington's motion is, of course, equivalent to an expression of want of confidence, and until it is disposed of no other business can be transacted." Was this motion a motion of want of confidence or not? The hon. gentleman intended it as a motion of want of confidence and there is no reason why it should not be so. The hon. member for Lambton (Hon. Mr. Mackenzie) founded on the same state of things his want of confidence motion.

But he should have given notice of his attack, for a more unmanly attack is unknown. What notice had been given that he was going to make that motion? True, the Government of the day are unworthy of their position unless they are ready to meet any charges brought against them. But had we the most remote information respecting that personal matter? And even when on the second day he announced that he was going to postpone to a future occasion further action he did not venture to give the slightest intimation to the men he was going to attack, the men whose characters he was going to attack of what he was going to say; but he took us by surprise and sought by bringing in documents carefully prepared to get a Committee on these statement for the purpose. Certainly it would have been so if the Committee had been granted as he proposed,—of killing, as it was designed to kill, as it was bound to kill, the efforts of the Canadian people to get a body of English capitalists, to build the Pacific Railway. (*Loud cheering.*)

He could not possibly have supposed that he would have got the inquiry through that session, but he supposed, if the House had granted the Committee on his statement, and it had gone home, telegraphed by cable by the associated press, with which some hon. gentlemen opposite seemed to have mysterious connection—(*Laughter*)—it would also certainly have affected the construction of the Canadian Pacific Railway, throwing back for years the building of the railway, casting discredit on Canada, and telling British Columbia what they had told them two years before, that they were not going to get the railway.

Mr. Speaker, the hon. gentleman did not speak in his remarks on the motion, of facts within his own knowledge, and as the member for Marquette (Mr. Cunningham) had done in his statements of facts, he only stated that he was credibly informed that the fact existed, and he would be able to prove it, and I venture to say that in the whole range of Parliamentary experience in England, and

wherever else fair play is known, no man could be expected to have got any other answer than the one he got from the House.

If the hon. member had risen in his place and said of his own knowledge that he was personally cognizant of certain facts, then the House might have considered those facts as proved, at all events deficient for a *prima facie* case for inquiry, but the hon. member for Shefford (Hon. Mr. Huntington) did not pretend to say so, but rose in the House and said he was credibly informed of certain facts, and thereupon asked for a Committee to try the Government, and not only so, but to try whether the legislation of the previous session was corrupt or non-corrupt; whether the members of Parliament who had voted for the Government were right or wrong, and whether that charter, to which great credit was attached, was fraudulent or valid. And on the nonce, when the hon. gentleman made the proposition, we resolved to leave it to the House to say whether they believed that the facts had occurred. When the hon. gentleman stated that he was credibly informed that such was true, the House voted down the motion.

On the next day I gave notice that I would introduce the resolution which I did introduce. I gave notice of the resolution, and there is a little history with the resolution to which I will call the attention of the House. It is reported that at a meeting at New Glasgow the hon. member for Lambton (Hon. Mr. Mackenzie) stated that that resolution which I moved was forced upon me by my own followers, and that members on this side of the House had come to me to urge me to introduce that resolution. The hon. gentleman had heard my denial. He heard my speech; he was in his place when I made that speech, and interrupted me several times, and I then turned round and asked my friends if any of them had come to me to force me by any influence, or language, or anything of the kind, to come down to the House with that motion. I should like to know the names of those eight members.

Hon. Mr. MACKENZIE: I am quite satisfied I never mentioned eight names. (*Ministerial cries of "How many?"*) I said I was informed, as I was, that it was because of the pressure his supporters had brought to bear that an inquiry had been asked for next day.

Hon. Mr. McDONALD (Pictou): I wish to state what did occur at the meeting, and there will, I think, be no difference of opinion between the member for Lambton and myself as to the question of fact. The hon. member during his address stated that the leader of the Government was compelled by the pressure of his own friends in the House—I don't recollect that he stated eight members—to bring down the motion for a Committee to the House. I interrupted and said: "Why, did you not hear Sir John Macdonald declare that he did not introduce that resolution owing to the pressure of his friends or any friend?" The hon. gentleman replied: "I did not. I now declare he was pressed by his friends."

Hon. Mr. MACKENZIE: The statement made by the hon. member for Pictou is quite correct. I stated I had no recollection of

that statement being made, but as the hon. gentleman had said that it was made, I was bound to believe it, but I was still prepared to say that the information I had was that the leader of the Government was compelled by the pressure of his friends to make that motion. I am borne out in that by what the member for Shelburne (Mr. Coffin) stated the other day in the House. He for one was obliged to bring that pressure to bear the next day. (*Opposition cheers.*) I cannot recollect all the others, but I heard similar matters mentioned by some others.

Hon. Sir JOHN A. MACDONALD: I have got the speech here, and before the debate closes I shall refer to it, because I do not like any misapprehension on these matters. I am satisfied the hon. gentleman said so, as he is reported, and I can state here that the hon. gentleman had his own reporter present. The hon. gentleman was reported to have said:—"I may inform the hon. gentleman there were eight of the Government supporters who put the screw on him." In other words—

Hon. Mr. MACKENZIE: I am perfectly certain I did not use the word screw.

Hon. Sir JOHN A. MACDONALD: Now, I have occasion to repeat what I stated then, that no member of the Party, and not only no member of the Party, but not one of my own colleagues, spoke to me on the subject until I had announced my own determination. (*Loud cheers from Ministerial benches.*) The motion took us by surprise, and we met it, as I think we ought to have met it by voting it down.

Next day I came down late and walked into the Council room at half-past one. My colleagues were all sitting around. I said to them, after consideration: "I have made up my mind that I will move for a Committee," before any one had spoken. I had stated my intention without a single suggestion from any man, that as the charge was of such a nature that I would move for the appointment of a Committee and bring such motion before Parliament on the following day. And that is the way that the characters of men are lied away in this country. I do not mean to say that the hon. member for Lambton has lied down my character because he had denied it. What I do mean to say, it has been lied away by the mistake of a reporter who thought that he was reporting his words. I have now got the report here. It is from the *Halifax Citizen*. Perhaps the hon. member knows that his friend who formerly sat in this House for Halifax is the proprietor of this paper, or that he certainly writes for it. (*Hear, hear and cheers.*) Here is the newspaper, and if the hon. gentleman thinks I have made a mistake, and if he thinks I have done him an injustice perhaps he will be patient with me while I read the few sentences:—"Some gentlemen afterwards informed Hon. Sir A. John Macdonald that before they voted with him an inquiry there must be. He was then compelled to come down and say that he himself moved an inquiry on the following day."

Hon. Mr. MACKENZIE: What about the eight that the hon. member spoke of. (*Laughter.*) I refer to what the hon. member for Shelburne (Mr. Coffin) stated the other night.

Hon. Sir JOHN A. MACDONALD: Does the hon. member for Shelburne (Mr. Coffin) say that he never came to speak to me on the subject?

Mr. ROSS (Victoria): I may say that two or three of us went to see the Ministers next day and stated that unless they promised a Committee themselves that was the last vote they would get from us.

Mr. CHURCH: I accept that statement. We saw the Hon. Mr. Mitchell on the following day and said the charges were very serious affairs, and that a Committee must be appointed.

Hon. Sir JOHN A. MACDONALD: Thus we see another exemplification of the old story of the three Black Crows. (*Laughter.*) The hon. member stated that eight of my followers and supporters came to me and said that I must move that Committee. The hon. gentlemen say that they went to some one else, and I say, in the presence of my colleagues, that I myself went down to the Council and before having met or agreed with any single member of the Council, I said to them on going into the Council Chamber—"Gentlemen, I have made up my mind that on the first opportunity that presents itself I will move for a Committee to inquire into this matter." (*Cheers.*)

I had had no communication with any member of the Government; no communication with any member of the House; no communication with any one in or out of the House, and therefore you can understand how guarded the hon. member for Lambton (Hon. Mr. Mackenzie) should be in giving publicity to other men's affairs. He may perhaps have a vacancy in his memory. There is something, Abercrombie says, which leads men not only to forget certain facts and to state things as facts that never occurred. At all events, whether I was waited on by the eight members or not, I shall produce the hon. gentleman the report about the eight members before the night is over.

Hon. Mr. MACKENZIE: I don't care about it.

Hon. Sir JOHN A. MACDONALD: I know you don't. I know the hon. gentleman is quite indifferent about the evidence that I can produce. (*Laughter.*) At all events I came down to Parliament and gave my notice of motion. Now I wish the House carefully to consider the circumstances under which I made my motion. I was of course exceedingly anxious that Sir Hugh Allan should succeed in his mission to England, and that the Pacific Railway should be preceded with without delay. I was anxious that no blow should be struck in this House for Party or any other purpose that could injure the prospects of these men in England, and yet I did not desire that there should be any undue delay in this inquiry, which affected the honour of hon. gentlemen and myself.

Now it must be remembered that my motion having been unanimously adopted by the House, was not only my motion, was not only my vote, but was also the motion and the vote of hon. gentlemen who were then members of this Parliament. I considered

at that time that the chances were infinitesimally small that these gentlemen would be back in time to go on with the inquiry before the prorogation of Parliament; and what did I move?

I moved "that a select Committee of five members be appointed of which committee the mover shall not be one," and here, Mr. Speaker, I may perhaps bring in, *par parentheses*, a little remark. I moved that resolution as I thought that I, being one of the accused should not be a member of that Committee, and yet the hon. member for Shefford stated in a speech recently that if he had had his own way he would have been the Chairman of that committee; that he would have guided the deliberations of that Committee—he the accuser. The hon. gentlemen may think that I may have committed something like folly in this course, but, at all events, I moved that "a Committee of five members be appointed, of which the mover shall not be one, to inquire into and report on the special matters mentioned in the resolution of the hon. member for Shefford (Hon. Mr. Huntington), with power to send for papers and records, with power to report to the House from time to time, with power to report their evidence to the House from time to time, and if need be to sit after the prorogation of Parliament."

I thought that by a mere lucky chance, by a mere fortuitous circumstance Sir Hugh Allan and his associates might perhaps raise the money, make the necessary arrangements and be back in time before Parliament was prorogued, and, therefore, I put in merely as an alternative that if need be the Committee could sit after Parliament was prorogued. I never thought for a single moment, it never occurred to my mind, that any man having a sense of justice would enter upon a trial of a matter, in the absence of those who were chiefly implicated, and perhaps you will say the Government were implicated, but at all events Sir Hugh Allan and Mr. Abbott were not only personally implicated, but their capital, their vested rights, their pledged faith were all interested in this inquiry, and I never thought any man would attempt such an effort of lynch law as to go on in the absence of Sir Hugh Allan, Hon. Mr. Abbott, and Sir George-É. Cartier; in the absence of all the evidence which these gentlemen could give on the subject of these charges.

I therefore, Sir, drew up the motion in the manner I have named, and I must confess that I am somewhat ashamed that my knowledge of Constitutional law should have been at fault; but I was anxious that the Government should not lie under the charges for a whole year, and I put that in the resolution in order that the Commission might sit from day to day during the recess, and if Sir Hugh Allan, Mr. Abbott and Sir George-É. Cartier arrived in this country that their evidence might be taken. This was my object in placing this clause in the resolution.

On the consideration we found that this House could not confer the power, and for a very substantial reason, because if this Parliament could appoint a Committee with power to sit during the recess it could also appoint a Committee of the whole House to sit during the recess, and thus the prerogative of the Crown to prorogue would be invaded, and Parliament as a committee of the Whole might sit indefinitely.

But I made a mistake; it was accepted by the whole House and hon. gentlemen who voted for my resolution are as much responsible for it as myself. Not only was my proposition considered, but it was weighed by the hon. member for Bruce South (Hon. Mr. Blake). So much did the hon. member for Bruce South consider it as a matter of certainty that the Committee must sit during the recess that he used this language:—"With regard to giving the Committee power to sit after the prorogation he thought the correct course to pursue would be to introduce a Bill authorizing the committee to sit during the recess, and by a resolution of the House to take evidence under oath."

The hon. gentlemen saw that it was quite impossible for us to get through the investigation during the session, and I do not see in justice how it was possible to get through without these gentlemen coming. Have I not then proved my case, Mr. Speaker? (*Cheers.*) Have I not proved that this House solemnly resolved, as far as it could resolve, that this inquiry should be continued after the prorogation?

Now, Mr. Speaker, I shall not elaborate this question any further than to say that believing as I did, believing as I do, that it would have been an injustice to proceed with this inquiry in the absence of the gentlemen whom I have named, the Government of which I am a member, offered the advice to the Governor General that the House should be prorogued on the 13th of August, it having been understood that in the intermediate time the Committee might sit. That advice was accepted, that was the advice I brought down and communicated to the House, and that advice was acted upon by this House, and that act this House cannot now re-call. (*Hear, hear.*) This House is responsible for its own acts, and ordinances, and when I announced here that the House would be prorogued on the 13th of August, this House accepted that proposition as it should have done. (*Cheers.*)

But, Sir, I stated to this House for all the purposes of this House that the adjournment should be considered a prorogation. (*Cheers.*) That was accepted by this House, and more than that, I brought down a bill to pay every member his salary on the ground that it was a prorogation, and I say further that any members who got this money and wished for more and came back to get it was guilty of taking money under false pretences. (*Cheers.*)

We know what has happened in the United States. We know that the *Globe* in order to induce its friends to come—they knew of course that my friends from the Pacific did not care for a thousand dollars, but they thought that the hon. members who were nearer Ottawa would be induced to come by a bribe, and the *Globe* to the eternal disgrace of that paper; insinuated that if hon. members came they would get their money. (*Cheers.*) And what would we have seen had this happened!

We would have seen in this country a repetition of the salary grab which is ruining so many men in the United States at this moment. The Congress of the United States passed a bill increasing the salaries of its members and providing that the members should get

their increased salaries, and for a time considerably anterior to that session; and what is the consequence? It has roused the people of the United States from one end to the other who were not easily roused by things of this kind, but it was such an evident grab by men to get money and put it in their pockets that it has sounded the death knell of many of them. The same would have been the certain fate of any man in Canada who had taken his money under these circumstances. (*Cheers.*)

I shall now make a few remarks in respect to the issue of the Royal Commission. I have spoken of the prorogation. I believe that it was constitutional. I believe that it was wise, and whether it was wise or unwise, it was sanctioned by this Parliament, and I know that Parliament cannot, without dishonour, reverse their vote; and I believe I know that the House accepted that prorogation on the ground that the adjournment was in effect to be a prorogation, and that only the two Speakers should be in the House on the 13th of August. (*Cheers.*)

As regards the legality of the Royal Commission, I believe that I need not speak so long on that subject. The motion of the hon. member for Lambton relieves me from that necessity. I will quote the evidence of the Royal Commission.

Hon. Mr. BLAKE: Hear, hear.

Hon. Sir JOHN A. MACDONALD: I hear the member for Bruce South say "hear, hear." Surely he ought not to touch, taste nor handle the unclean thing. (*Laughter.*) Surely he will not think that any good fruit will come from a vile stalk. Surely he won't quote any evidence of the Commission if he believes the evidence of that Commission to be illegal. The hon. gentleman is on the horns of a dilemma. Either the evidence is legal or illegal. If it is legal, then the House can judge from the evidence, but if it is illegal, the House must discard it; and yet the hon. member for Lambton quoted this evidence, and every man who spoke on the opposite side of the House used that evidence; and it cannot be said, if that evidence is to be used against the Government, that it is illegal or unconstitutional. (*Cheers.*) You have your money, and you take your choice. Either accept or discard it, and remain as you were before this evidence was taken. (*Cheers.*)

Now it was alleged in the argument of an hon. gentleman opposite, with respect to this Committee, that the Governor General had been snubbed. I tell the hon. gentleman, and I have the permission of the Crown to state it, that in addition to the official announcement, there is a formal opinion given by the law officers of the Crown,—those authorities whose opinion the hon. member for Bothwell looked so scornfully upon, but every one else so much respected—that the course taken by the Governor General both in respect to the prorogation and the issuance of the Royal Commission, was legal and constitutional.

Hon. Mr. BLAKE: Hear, hear.

Hon. Sir JOHN A. MACDONALD: Well, Mr. Speaker I cannot help it if the hon. gentleman does not agree with the law officers of

the Crown. But I have still a further statement to make, and I think I may make it in the presence of my hon. friend the Finance Minister (Hon. Mr. Tilley)—that the course of the Governor General in respect to all these transactions has been finally settled and agreed upon by the whole Imperial Cabinet. (*Cheers.*)

It is said, Mr. Speaker, with respect to the Commission that by constitutional authority the Crown cannot know what happens in the House of Commons. Well, Mr. Speaker, that is one of the anachronisms which we see in the quotations of the hon. gentleman opposite. They are two or three centuries behind the times. In days long ago it was settled that no motion could be reported to the Crown; and why? Because in those days the Crown had a very inconvenient mode of sending down a number of officers and taking a member of Parliament by the neck and sending him to the Tower. So that it was told that during a discussion and for protecting the freedom of Parliament there should be no communication to the Crown while any discussion was going on, but it is different now. There can be no danger of any member of Parliament being seized in his place or out of his place. There is no danger of Charles the First coming down and seizing five members. There is no danger of the freedom of the members of Parliament, or of the people, being infringed by any Act of the prerogative.

What happened, however, in this case? Did the matter remain with the House alone, or conclude with the House? No, the House itself sent information to the Governor General by the member for Shefford (Hon. Mr. Huntington). In consequence of the resolutions passed by the House, the member for Cardwell (Hon. Mr. Cameron) introduced a bill for the purpose of giving the Committee power to administer oaths. We passed that bill through both House, and it went to the Crown, to the first branch of the Legislature. Is it to be supposed that when we, the advisers of the Crown, the advisers of the Governor General, asked him to come down here contrary to usual practice, contrary to the general universal practice, to come down before the end of the session to give his sanction to a measure; is it to be supposed that when we brought him down for that special purpose we were not charged by the Legislature to convey to him why we asked him to give his assent? Then why, Mr. Speaker, was it to be supposed that the Sovereign would give as a matter of course his assent to a measure passed by this Parliament without a reason.

Sir, we gave that reason. The advisers of the Crown told the Crown what the motion of the member for Shefford was. They told the Crown what the proceedings before the House were, and that the culmination of their proceedings was that the Act should be passed. That was the reason why the Crown came down, that was the reason why the Governor General instead of at the end of the session came down in the middle. He was fully informed of the motion of the member for Shefford, and of all the proceedings on which the bill was based. But it has been said, Sir, that this Act was an obstruction of the action of Parliament. Why Sir, it was intended for the purpose of aiding Parliament, but it was disallowed; but certainly by no act of mine as has been charged.

It was even asserted somewhere that I had, or that the Governor General had, attempted in some way to influence the Government in England to disallow the Act. Well, Sir, the paper before Parliament shows with what scorn that statement can properly be met. No suggestion direct or indirect, went from the Canadian to the Imperial Government with respect to the disallowance or passage of that act. (*Cheers.*) I did not hesitate in my place in Parliament to express my opinion that the passage of that Act was beyond the powers of the Canadian Parliament. I had formed, I may say, a very strong opinion on the point, but I did not express my opinion so strongly to this House as I really felt it, because I knew from the usual generosity of gentlemen opposite that they would at once have said, "Oh, of course, you throw obstacles in the way because you do not wish the bill to pass", and therefore while I would have liked to state that we had not the power to pass the Act, at the same time I placed great confidence in the opinion of the hon. member for Cardwell. I do not know whether the member for Bruce South (Hon. Mr. Blake) expressed any opinion on the point, but if he did not, many other learned members did, and I paid great respect to their opinions. I did not therefore oppose, as otherwise I would have opposed, the passage of the bill, which I would certainly have done had I not been personally concerned.

When it went up to the Governor General, as the papers will show, as I was bound to express my real opinion, I stated my doubt of its legality, but hoped his Excellency would see his way to allow it instead of reserving it for the signification of her Majesty's pleasure, and I gave my advice not only as First Minister, but as Minister of Justice, that the Act should be passed. The measure was passed and went home to England and, as the despatches show, the case was fully argued, so far as it could well be argued, and the strong impression of the representative of our Sovereign at the time was, that I was wrong in my law, and that the hon. gentlemen who had supported the bill were right, and that the bill would become law. We know what the result was, and that after the consultations the bill was disallowed.

It has been said by the hon. member for Bothwell, that it is out of the question that we should be governed by the law officers of the Crown, but let me state to this House, Mr. Speaker, that the decision was not the decision merely of the law officers of the Crown, but it was the decision of the British Government. It was an order of the Privy Council, and there is an order of the Privy Council passed in which the Lord Chancellor is not consulted before a decision is come to. I state this without fear of refutation that any disallowance of an Act is not the act merely of the Attorney General and the Solicitor General, but that of the Government of Great Britain, the act of the Lord Chancellor at the head of the Privy Council. Will the hon. gentleman venture to deny; will he venture to say that for the disallowance of this bill we have not the highest authority, and that to which we must all bow, whether we will it or not? Will he venture to say that when an Act is disallowed by the Queen in Council it is the act of the Attorney General and Solicitor General, neither of whom is a member of the Privy Council or knows what the Privy Council does? They take their orders. They give their opinions; and these opinions may or may not be accepted by the

Government of the day; but in the case of the disallowance of this Bill there was the decision of the whole of the Government.

Mr. MILLS: Do not the Government in such matters always act on the opinions of the Solicitor and Attorney Generals?

Hon. Sir JOHN A. MACDONALD: I can answer that promptly. The Government do not always so act. Frequently they act contrary to the opinions of those officers. I tell the hon. gentleman that the Lord Chancellor is the final adviser on such matters, and that in this case the Lord Chancellor, who is perhaps the first lawyer in England, and the Attorney and Solicitor Generals all agree.

Hon. Mr. WOOD: How does the hon. gentleman know that? It is not shown in the despatches.

Hon. Sir JOHN A. MACDONALD: I can tell my hon. friend at once that the action of the Attorney and the Solicitor Generals can have no effect on the Lord Chancellor, without whose assent no action of the Privy Council ever takes place. But, Sir, whether the Commission was legal or not, and we will suppose for a moment that it was not, though it is a great stretch of supposition, would it not have been well for the hon. member for Shefford (Hon. Mr. Huntington) to have come before that Commission? Would it not have been well for the hon. member, as a man really anxious to have justice done? Would it not have been well for the hon. member if desirous of the triumph of his party, not desirous of the defeat of a Ministry, not desirous of a change of Government, not really, truly, anxiously, and, as he said, painfully desirous of having justice done, to have come before the Commission and have followed up the investigation from day to day? I think the House will say that the privileges of Parliament were not endangered, and that he might safely have prosecuted the matter and have brought the offenders to justice, and that he could have done so without prejudice to his position as a member of Parliament.

Why, it did not suit his game to come. It did not suit his plans to come. The hon. gentleman's game was first to destroy the Government and not to have a real inquiry into the conduct of the Administration.

Besides, Sir, and it is consideration of some importance to the House, and one that ought to have great force in the country, I myself, and the other members of the Government who were in this country desired to give our explanation under oath. I went there, Mr. Speaker, and you know it was said in the newspapers that the Commission would be a sham, and there would be no examination at all, and that the members of the Government and other witnesses would shelter themselves under the plea that they need not criminate themselves. I would ask you, Sir, and every hon. member, whether every member of the Government, when called before that Commission did not give full, clear and unreserved statements as regards all the transactions connected with the Pacific Railway. (*Cheers.*) As I believe that that Commission was issued in accordance with the law, because the Crown as such had a perfect right to enquire into that matter, so at the same time I believe that in

no way was it designed, and in no way did it in any way obstruct the action of Parliament.

Mr. Speaker, this House is not governed by that Commission or the evidence, although the member for Lambton has quoted the evidence, and used it, and made it the basis of his motion. I say the House is not in any way bound by that Commission. It is in no way checked or obstructed or prevented from instituting the most searching examination into the matter. As a matter of fact, I believe that when the member for Shefford (Hon. Mr. Huntington) made his charges here, there was a notice given in the Senate for an inquiry, and there was no reason in the world why the Senate should not have had an inquiry. They might have had a Committee, and, as we have often seen it in England, the two branches of the Legislature might have had concurrent committees sitting at the same time; and it might happen, as in England, that these committees might come to different conclusions. If a Committee had been granted by the Senate would that have been a breach of the privileges of this House? Certainly not. Well then Sir, if be not a breach of the privileges of Parliament that the second and third branches of the Legislature should have concurrent examinations into a certain charge, how can it be a breach of the privileges of the second and third chambers for the first branch of the Legislature to go into the matter. (*Cheers.*) If the Senate can discuss the matter cannot the Sovereign go into it?

Sir, the answer is too obvious to admit of doubt, and it must be remembered the Sovereign holds a two-fold position; that the Sovereign is not only the first branch of the legislature, and as such has a right to inquire into such matters, but is also the head of the executive and is the executive. The Crown governs the country; the Crown chooses its own Ministers, and this House has no control and the Senate has no control over the Crown in this respect except in deciding whether they have confidence in the Ministers chosen. The Crown in order to be a reality and not a myth, must have the full and sole selection of the individual members to form the Government, and it is then for Parliament to say whether that selection is such as will command the confidence of Parliament as well as enable them to carry on the affairs of the country.

If that is constitutional law, and I think it is, what is the consequence? Is that the Sovereign has the right to inquire into the conduct of its own officers. If an offence is committed the Crown has a right to enquire into it. If a charge is made the Crown has the right to ascertain whether that charge is true. I will suppose the case of a Minister charged with a crime amenable to common law. Could not the Crown make inquiry into such a matter? The proposition is too absurd a thing to need an answer, for we know of many cases where the Crown has made such inquiry.

The case that is most applicable in principle to the present one is that of Lord Melville, and I will refer to that because it lays down certain principles to which I would invite the attention of the House. The case is especially applicable because the matter was first discussed in the House of Commons; and it is said here that because the matter was first discussed in the House of Commons it should

end there, and no other tribunal should deal with it, and no other authority should intervene and prevent the House from concluding its inquiry. But there is no reason in the world why any independent authority should not pursue an independent inquiry, leaving to the House a full, unrestrained and unrestricted right of inquiry.

In the case I have mentioned there had been great abuses in connection with the Navy contracts in England during the Peninsular War and there were allegations of enormous frauds and a pledge was given by Mr. Pitt's Government of which Lord Melville was a member, that so soon as a peace was concluded an inquiry should be entered into as it was thought impossible that in the height of the war a proper inquiry could be made. I grant that it was a different Administration that moved for a Committee in the matter, but the motion was in consequence of the pledge given by Mr. Pitt, but when Lord Sidmouth asked for the Committee it was opposed in the House of Commons, on the ground that the Crown could prosecute the inquiry. The navy board had full authority, and the admiralty had full authority, and it was urged that the Crown as it appointed the judges so it should appoint Commissioners to try the particular case. There was the responsibility, and this view was argued strongly. As anyone will see who reads it, the Commission was only granted after the Government had been asked whether they had got their Commissioners, and after the House had been informed that the Navy board and the Government of the day asked for the Commission, and the Act to authorize the administration of oaths was passed because there was no power in the Navy Board to administer oaths. The commission was similar to this in all respects. On this the Minister was tried, and on this a Minister was acquitted, and the only difference between that case and this was that on that case a Commission was asked for by the Government, and in this the Commission was issued by the Government under the act.

Hon. Mr. WOOD: Whenever there were Commissions, special Acts were passed, authorizing these commissions.

Hon. Sir JOHN A. MACDONALD: Would the hon. gentleman tell me of any such commissions?

Hon. Mr. WOOD: Yes, there was the Act of 1843 and the Act of St. Albans, and in 1852 a general Act was passed to such matters. No single case could be found in which a Royal Commission was appointed to try corrupt parties at elections, except under a special Act.

Hon. Sir JOHN A. MACDONALD: The hon. gentleman cites certain acts relating to corrupt practices, but the hon. gentlemen must see that his cases had no reference to this one, because those which he cited referred to corruption in boroughs and the charge here is general corruption on the part of the Government. It had been contended by the hon. member for Bothwell (Mr. Mills), who spoke at some length, that it was surprising that the witnesses before the Royal Commission did not know anything, that they came up one after another, telegraph operators and others, and all stated that they did not know anything about the matter. Why were they called? The reason was plain, and the reason was known to the hon. member. It was because Hon. Mr. Huntington (Sheffield)

handed in the names of these witnesses to the Committee. He handed in my name among the rest, and it was alleged that there was an arrangement about this as if the Government had any control over that Commission.

The witnesses were called one after another and in the order shown on the list handed in by the hon. member for Shefford. Early in the session he handed in the list of witnesses, and they were all called in their sequence. I could not help it if a railway operator or a telegraph operator was called up and did not know anything about it. His name was there on the list, and in one case it was shown that Mr. Coursol, whose name was put on the list, met Hon. Mr. Huntington, and when he asked him why it had been done, that hon. gentleman said he did not know. It was the duty of the Commissioners to call upon every man that hon. gentleman had placed on the list, whether they knew anything or knew nothing, and therefore the charge of the hon. gentleman that they were called up by arrangement was untrue, and it was altogether unworthy of the hon. gentleman. Witnesses were called up as they came on the list, and as they came on that list they came up to give their evidence.

With respect to the composition of the Commission I have not much to say. It is beneath me to say much. (*Cheers.*) There is no man in Lower Canada who will not say that Judge Day, by his legal acquirements, was well fitted for the position, and when I tell you that the present Chief Justice on the Superior Court, Judge Meredith, has said that the greatest loss that the bench of Lower Canada ever had, was in Judge Day, I have said all that can be said. (*Cheers.*) Judge Day is a man above any charge of political bias. He has shown what he was on the Bench; he has shown that he was a politician; he has shown in the codification of the laws of Lower Canada what he was as a jurist. The hon. member for Shefford (Hon. Mr. Huntington) said that the other two judges were my creatures. He did not venture to attack Justice Day, but he attacked the other two.

Now, with respect to Mr. Justice Polette, I may say that I have not seen him, nor have I had any communication with him for seventeen long years. For seventeen long years he had been obliterated out of memory. I knew him in my early days in Parliament as a supporter of the Lafontaine-Morin Coalition. From that time he departed from my vision until he was appointed on that Commission. And why, Sir, why was he appointed on that Commission? I was resolved in consequences of the insult that had been heaped upon the Committee in Montreal that the Commissioners must sit in Ottawa, where they could be protected from such insults, and, therefore, there was no chance of the charge being tried by a Lower Canada Judge. I was anxious that there should be a Lower Canada Judge on the Commission. It was suggested by the *Globe* the no Superior Court Judge ought to sit on the Commission, as a cause might arise out of it yet which would have to be tried before them. I endeavoured, therefore, to carry out the suggestion. I thought it was a good one, and took Justice Day, who, as a retired Judge, could by no possibility try any case which might arise. He said that he would be only too glad to do so, but as

he was on very friendly personal relations with the Hon. Mr. Abbott, perhaps it might be thought not to be proper. He, however, consented to act. He also stated to me that at least one French Canadian Judge should sit, as one of my colleagues, a French Canadian, was implicated. He thought over all the names of the Judges of Lower Canada, and suggested to me the name of M. Justice Polette as a man of high standing, a man of great legal power, as worthy in all respects to take his seat on the Commission.

And it is said Mr. Justice Gowan was a creature of mine. How Mr. Justice Gowan ever came to be considered a creature of mine I cannot say. He commenced life as a partner of Mr. Small, and was an extreme Reformer. He was appointed by Mr. Baldwin on the representation of Mr. Small. I never did him a single favour that I know of. I did not appoint him a Judge. He was appointed a Judge before I was a member of Parliament, his appointment being made in 1843, while I became a member of Parliament in 1844. I afterwards became acquainted with Judge Gowan, and I found that he was a good lawyer. I may also say that I have received great advantage, and that the country has received great benefits from the services of Mr. Justice Gowan.

There is but one Judge of the Superior Court in Upper Canada whom I have not appointed or promoted, and that one Judge, I am proud to say, on the best evidence, has declared in the strongest terms that in this evidence produced before the Commission there is not one tittle of evidence against me. (*Cheers.*) It has been said that the Commission was a partisan Commission; but supposing I had committed any crime under the common law of the land, I must have been tried under a Judge who was appointed or promoted by myself; and I believe that not one single month or day less punishment would have been given to me if I had been tried by any one of these Judges whom I have been from my position instrumental in placing on the bench.

With respect to the charges brought against the Judges, they have assumed various phases. First we are told that the Government had acted with these American gentlemen and had given up all the rights of Canada to a foreign corporation. We were told that we are recreant to our position as Canadians, to our position as members of Parliament, and guardians of the rights of Canada, and that we had handed over the great Pacific Railway to the Americans. When that broke down, the next charge was bought up. Hon. gentlemen opposite said, "We know you did not do that but you have sold it" and then when that broke down they came to the last charge and said: "Oh, you are guilty of spending a large sum of money at the elections."

It has been attempted to be shown that the charge was not that the charter was sold to the Americans. He would ask this House if that was not the charge? (*Cheers.*) It was so understood in Canada; it was so understood in England; and it was attempted assiduously and insidiously to be spread through the country that the Government of Canada was devoid of principle and of patriotism, and that they had sold the charter to the Americans.

I must say that when this charge was first made it roused me. I had thought that I had thwarted these men in every particular. I had thought that I had kept Jay Cooke & Co. and Scott & Co., and every Company in any way connected with the Northern Pacific Railway, out of the Canadian Pacific Railway. (*Cheers.*) Mr. Speaker, if I had not done so; if I had gone into that moderate system; if I had allowed the American Railway system to go on and be completed, forever shutting out the opportunity for ours; if I had played the American game; if I had played the game of the hon. gentleman opposite; if I had sold the Railway; if I had sold the interests of Canada, I would have got the plaudits of the hon. gentlemen opposite instead of now getting their stabs. (*Cheers.*)

But it is because from the first to the last I was a true Canadian; because from the first to the last I stood by Canada; because from the first to the last, when they attempted to levy blackmail upon me, I put it down with a strong hand, that is why the attack was made on the Government; that is why the attack was made on me. (*Loud cheers.*)

I have no hesitation in saying that this course taken by the hon. member for Shefford is governed behind the scenes by a foreign element. (*Cheers.*) I do not charge the hon. gentlemen by whom he is surrounded with being parties to this, but I do say that the course of the hon. member for Shefford is governed by a foreign element, and I can prove it. (*Cheers.*) And if a Committee is granted to me, I will show that the hon. gentlemen sits here by virtue of alien money and influence, and not only by virtue of alien influences but alien railway influences. (*Cheers.*) I can prove it. I am informed, and I verily believe that I can prove it. (*Cheers and laughter.*) I have got evidence, and if a committee is given to me I can prove that the hon. gentlemen was elected to his seat in this House by alien railway influences, and more than that, I can not only prove that he was elected by alien railway influences but by alien railway influences not unconnected with the Northern Pacific Railway. (*Loud cheers.*)

Now, Mr. Speaker, I have to speak to the specific charges made against the Government. Sir, before the last elections took place, I knew what I had to face. I had a great, a strong and united opponent. I had showered upon my devoted head all kinds of opposition. I had been one of the High Commissioners, one of the signers of the Treaty of Washington. It was said that I had betrayed the country, and the hon. gentlemen had described me in their speeches as a cross between Benedict Arnold and Judas Iscariot. But I met Parliament, and by a calm explanation of my course I won the approval of the House. Still the Opposition roared.

I knew that I must meet with a strong opposition in my native Province from gentlemen of the opposite Party. That Province was the only Province in the country that was not a gainer by that Treaty, except as it was a gainer by the great gain which I think, over-balanced everything—that of a lasting peace between England and the United States. (*Cheers.*) It gave to our children, and to our children's children, the assurance that we could enjoy our own comfort, that we could enjoy our own firesides, that we could sit

under our own fig tree, without the possibility of the war cloud hanging over us; and if I was guilty of being a party to that Treaty, I shall be glad to have it recorded on my tombstone. (*Loud cheers.*)

We yielded much, we gave up many things—I admit that. I told this House that we had yielded much, that we had given up many things. But still we see our country prosperous, still we see every interest growing, (*cheers*) and now we know that by no hostile hand, by no unfriendly, warlike invasion, can the future be destroyed. (*Cheers.*) Yet, Sir, I went out and I submitted my shoulder to the smiter. I knew how much it would be held out that we had not got what we ought to have got; that we had got no reciprocity, that the wheat of the Western farmer was not exchanged on equal terms with the wheat of the Americans, but I had to meet that and I met it, Mr. Speaker, like a man. (*Cheers.*)

I had to meet much more. I had not only to be told, as I was told at every place that I went to, that I was a traitor and had sold this country. If Canada is never sold in the future by a greater traitor than myself, Canada will be a fortunate country. (*Loud cheers.*)

But I was told also that I had not only sold Canada to the Yankees, but that I had sold Ontario to the other Provinces. It was said that I had not only committed a great breach of international law, but had also given them more than their rights. On every question of constitutional law I have had the satisfaction of having the courts—well not perhaps the courts, but of those men who make the courts—in my favour, and I have never made a constitutional or legal proposition in which I have not had the support of the legal advisers of the Crown in England, and in which I have not been right, and the hon. gentlemen opposite have been wrong.

But with respect to Nova Scotia we were told, not only that my course was unconstitutional, but that we had given to Nova Scotia more than they had a right to have. Perhaps the hon. gentleman opposite would say they never said so, he had been in the habit of saying so; but the fact could be proved that the hon. gentleman took the two grounds, first that our action was unconstitutional, and, second, that the action was unjust to Ontario. (*Cheers.*) Now I would ask you to speak to every member from Upper Canada, and ask if they did not find in every election that said of the Government of Canada, and that I, as Prime Minister, had granted to Nova Scotia too much, and had thereby increased the taxation of the people of Ontario? I have had to tell the people of Ontario, in the first place that Nova Scotia only got justice, and in the second that the course taken was perfectly constitutional; and even if we had given Nova Scotia a little more than justice, it was well worth the outlay. (*Cheers.*)

Why, Mr. Speaker, what did we find at the time of the Union? The Minister of Customs (Hon. Mr. Tupper) was the first man returned to the House in the elections, on strictly Union principles. Consider the position we were in here. We were with a Constitution just trembling in the balance, and yet we found one of the most important Provinces recalcitrant, threatening independence, and

opposing in every possible way the carrying out of Confederation, under which we now live and flourish. Was I to deal with this question in a hesitating way? If we had given to Nova Scotia little more than her rights, and even as it were a sop, I say it was a statesmanlike act. But, Sir, there were no necessities of that kind. We did them simple justice; and I will venture to say that any member who will now sit down and read the discussions and negotiations between Canada and Nova Scotia, will feel that we did full and ample justice. I am no friend to doing half justice, but we did them no more than justice.

What is the consequence? We see the people, irrespective of Party; we see every man in Nova Scotia, admiring the legislation of Parliament introduced by the Government, which has made Nova Scotia a part of the Dominion, instead of being a separate Province and has converted it into one of the most ardent friends of Confederation among the whole of the different members of the Dominion. (*Cheers.*) If it shall happen, Sir as it may happen, that I receive a reverse, a condemnation of any particular act of mine, I may still appeal, and I do appeal, to the members for Nova Scotia, who, when their best interests were assailed, and they were brought perforce, *fas aut nefas*, into Confederation, they still got fair treatment, got full justice, at our hands and I hope to live in the hearts of the Nova Scotians. (*Cheers.*)

While that was satisfactory to me, I think it was not satisfactory to my friends in Ontario. Every man who supported me was attacked at the polls with respect to our action on the Washington Treaty, and because it was said we had given too much to help the Nova Scotians.

So with British Columbia. Let me read some of the resolutions with reference to the Pacific Railway and British Columbia. Do you suppose, does any man suppose, we could have British Columbia within the Dominion without a railway? There must not only be a Union on paper but a Union in fact. Those hon. members of the Opposition by every act that they could, in every way they could, opposed the practical Union of British Columbia with Canada. (*Cheers.*) They voted against it, they said it was most outrageous, the plan, the idea of a Railway, was outrageous. (*Opposition cries of Hear.*) That is the language used by hon. gentlemen opposite, and I will presently quote the terms used.

Now let us look at some of the motions made. The Government moved a motion to carry out the measure which is now the law. It was moved in amendment “that the proposed engagement respecting the Pacific Railway would, in the opinion of the House, press too heavily on the resources of Canada to carry out.” That motion was defeated. (*Ministerial cheers.*) Then it was moved “that in view of the arrangement entered into with British Columbia at the time of Confederation, and the large expenditures necessary for canal improvements and other purposes within the Dominion, this House is not justified in imposing on the people the enormous burden of taxation required to construct within ten years a railway to the Pacific, as proposed by the resolution submitted to this

House.” (*Ministerial cheers.*) I say I might read you a series of resolutions, all made by hon. gentlemen opposite, and voted for by them, showing that in their opinion we had been overtaxing the resources of the people of Canada.

I am now told by hon. gentlemen opposite that, although they opposed that arrangement with British Columbia, they think they are bound to it now. I am told that they say, “True, we made an arrangement with British Columbia which was improvident, extravagant and ruinous, and which could never be carried out. Yet, being made, we will carry it out.” I don’t exactly see the logic of that. If it be ruinous, extravagant and impossible, I really don’t see how it can be carried out now. (*Cheers.*) But, Mr. Speaker, I don’t believe the policy of the hon. gentlemen opposite is in favour of that. (*Loud cheers.*) I know it is opposed to that. (*Renewed cheers.*) I know if this Government goes out of office and another Government comes into power, if it be composed of hon. gentlemen opposite, that it will oppose our policy in this question. (*Ministerial cheers.*) Hon. gentlemen opposite dare not deny that the *Globe* newspaper announces and directs their policy.

We passed a bill the session before last; we granted a charter for the building of the road, and it was settled and determined that the Pacific Railway should be built, and we were to build it on our own territory, and not allow the Yankees to come in and assist the hon. member for Vancouver (Hon. Sir Francis Hincks). Yet what was the announcement of the organ of the hon. gentlemen opposite? After the Legislation of 1872, after we had accepted the arrangement with British Columbia, after we had brought them into the Dominion on the pledge of the faith of the Government and the country, that there would be a Pacific Railway within ten years, after we had made that promise, with the solemn sanction of the country, what were the remarks of the *Globe*, the exponent of the opinions of hon. gentlemen opposite?

The right hon. gentleman then read an extract from an article, published in the *Globe* during 1873, wherein the Pacific railway scheme was declared to be financially ruinous and politically unpatriotic; a scheme which could only be accomplished within the ten years at an outlay which would cripple Canadian resources, and lock up the most valuable part of our public domains.

Now Mr. Speaker, you see what is to happen if Canada builds this Canadian Pacific railway. All our resources are to be crippled by this, the most ruinous and most unpatriotic scheme ever invented, and this cry I had to meet at the hustings. I have gone on from one stage to another. I have shown you how I met the cries of the hustings—that I had bartered away Canadian rights in the Washington treaty, that I had granted too much to Nova Scotia; that I had been guilty of granting a constitution to a few half-breeds in the North-west country, and had given them infinitely more than they had a right to expect; that as regards British Columbia, I would throw away the resources of Canada upon the construction of the Pacific Railway, and that I had sold Ontario. (*Ironical cheers from the Opposition.*)

Mind you, Ontario considers itself the richest Province, and no doubt it is, and that any additional charge placed in the public Treasury presses unfavourably on them, because they pay more in proportion to their wealth than the other Provinces of the Dominion. I know they don’t do so, but it has been urged upon them that they do so.

Then again, we had to meet the continued opposition of the Local Government of Ontario. I will give the hon. gentlemen proofs in writing, so that they will not be able to deny the fact—proof that though that Local Government had pledged itself in the most formal manner to be neutral in the contest; that they, by every act in their power, and by every influence direct and indirect that they possessed, worked against the Canadian Government. That is the charge and I can prove it. (*Ministerial cheers.*) We knew that influences of every kind would be used and were used, which can be proved, or as the hon. member for Shefford (Hon. Mr. Huntington) would say, “I am credibly informed and can prove,” (*laughter*), and we believed that the future of Canada much depends upon the continuing in power of a Government that has for its one single aim and object the maintenance of the connection between Canada and the British Empire, and the promotion of the development of the Dominion itself. (*Cheers.*)

We have been met at the polls with sectional cries. If the Opposition could raise a religious cry it was done. The New Brunswick school question was brought up, and they got up the cry that we had given too much to Nova Scotia, and those cries were made to ring at the polls in Western Canada. The cry that we had given too much to British Columbia was hammered into us at every public meeting in the west, and I say distinctly, and I repeat it again, that we had the power, influence, and the weight of the Ontario Government against us, contrary to the distinct pledge that the Government would be neutral. (*Cheers.*)

Well, Sir, I will state now what occurred with respect to the Pacific Railway. I was at Washington bartering my country as some of the hon. gentlemen say, (*laughter*) attending at all events to the Washington treaty, when the resolutions were carried which happily I say for Canada, brought British Columbia into the union of the British North American Provinces. (*Cheers.*) The proposition included the Pacific Railway, for British Columbia would not have come in, unless the terms of the union had included a railway. Notwithstanding great opposition the resolutions were carried by my late honoured and lamented colleague, but he only carried them by promising to introduce resolutions by which the railway would be built, not by the Government directly, but by private capital, aided by Government grants.

I would not, if I had been here, have willingly assented to that proposition, but though I was not here yet I am responsible for that act, and I do accept it as perhaps the best proposition to be had; otherwise, perhaps, the Union would not have been consummated. The resolutions declared that the Railway should be built by a Railway Company assisted by Government grants of land and

money. The hon. member for Napierville (Hon. Mr. Dorion), however, moved a resolution setting forth that the House did not believe that private capital could be obtained sufficient for the purpose. The whole of the resolutions moved by hon. gentlemen opposite were more for the purpose of defeating the construction of the Pacific Railway; and when Sir George-É. Cartier produced his resolutions and was about to carry them as prepared, he had to give way to the desire of the House, because even those who usually supported the Government were alarmed at the cry which had been raised by gentlemen opposite. Thus if the motion of the hon. member for Napierville had been adopted and Canada was unable to get a Company to build the Railway, the bargain with British Columbia would fall to the ground and be only waste paper and British Columbia would sit out shivering in the cold forever without a Railway.

The policy indicated by that solution of the hon. member for Napierville has been carried out ever since. In March, long after the legislation had taken place, by which Parliament declared that there should be a Pacific Railway built in some way or other, we find the *Globe* urging its friends to still further oppose that scheme; and, Sir, we have had arraigned against us the opposition of those who usually ally themselves against the Government, supported by those gentlemen of the Opposition, many of whom owe their elections to sectional cries. (*Cheers.*) We have met them, and it is said we met them with money. I believe that the gentlemen opposite spent two pounds to our one. (*Opposition cries of no, no.*)

I challenge the hon. gentlemen to have a Committee on this subject. Let us have a Committee. (*Ministerial cheers.*) I read the speech of the hon. member for Bruce South (Hon. Mr. Blake) at London, and he suggested the appointment of a Statutory Committee. In God's name let us have it! Let us have a Committee of three, to go from county to county, from constituency to constituency, and let them sift these matters to the bottom, and I tell you on my honour as a man, that I believe I can prove that there are more who owe their elections to money on that side of the House than on this. (*Loud Ministerial cheers.*) If I be challenged I can go into detail. I can show, and I can prove it that many members owe their election to money, and to money alone. I challenge the hon. gentlemen to agree to the appointment of a Committee, a Statutory Committee, as suggested by the hon. member for Bruce South. Let us put the names of the Judges of all the Provinces into a bag, and draw out three names, who shall form the Committee. (*Cheers.*)

As I stated in my evidence, and I hope my evidence has been carefully read by every member of this House, and I say here that I tried to be as full and as frank as I could well be. I could not help it if I was not subjected to a rigid cross-examination. I was exceedingly anxious that the hon. member for Shefford should be there to cross-examine me—(*cheers*)—and I would willingly have answered his questions. I have little more to say than I said then.

Sir, there was no sale to Sir Hugh Allan of any contract whatever. (*Cheers.*) Consider for one moment, Mr. Speaker, how the case stood. Parliament had passed two Acts, one for Upper Canada and

one for Lower Canada, and some two or three subsidiary Acts respecting branch lines. But we will leave these out of the question, and will consider that there were two Acts passed, one for a Company having its centre in Montreal, and the other in Toronto. Now, Sir, although there were Ontario gentlemen connected with the Canada Pacific Company, and although there were Quebec gentlemen connected with the Interoceanic Company yet they were really Acts promoted by men who have Ontario and Quebec interests only, and every one saw that they were essentially sectional.

Before Parliament met, and before either Act was passed, the cry was got up that the Northern Pacific people were desirous of obtaining the control of our railway. At the first, Mr. Speaker, when the first interview took place between the Government and these gentlemen, I was very glad to see them. We had passed in 1871 the Act that British Columbia should be a portion of the Dominion, and we had passed the resolution by which we were to build the railway in ten years. It was understood, then, Sir, that the whole matter should stand over until the ensuing session, and that in the meantime the Government should go on with the survey and be ready in 1872 with the plans. We got through the session of 1872 and we commenced, in order to keep faith with the British Columbians, the survey, and I think they will admit, and everyone must admit, that the greatest energy and the greatest zeal has been exhibited in the survey, and that within two years there has never been so much work so satisfactorily done as in this railway survey by Mr. Sanford Fleming. (*Cheers.*) The survey was going on, and in midsummer and in the fall all the members of the Government were scattered looking after their several affairs, taking their little holidays, and God knows the public men of this country have little enough holiday.

They were all scattered except Hon. Sir Francis Hincks and myself when Mr. Waddington called on me. I had known the gentleman before, and I much respected him. He said to me that there were some American gentlemen to see us about the railway. I said to him in my way, "What a fool you were to bring them here. We can do nothing with them." He was very much distressed, and said to me, "But you will not refuse to see them." I said certainly not.

The gentlemen then came, and Hon. Sir Francis Hincks and I met them, and we talked pleasantly, and I said to them that I was glad to see that American capital was looking for investment in Canadian enterprises, but that it was altogether premature as we could not then take any offers or suggestions, or take any action till after we had met Parliament. One of them remarked that they had evidently been brought on a wild-goose errand, and they then went away.

This first brought to my mind very strongly the necessity for looking out for our railway. Parliament had tied down our hands and the railway could only be built by a company, and there were no other means of carrying out the pledge with British Columbia, and I therefore immediately addressed myself to the matter. And what did I do? I spoke to all that I could, as I have no doubt my

colleagues did, and endeavoured to arouse Canadians in the enterprise. I went to Toronto and saw Messrs. Macpherson, Gzowski, Col. Cumberland, Mr. Howland and his son, and Gooderham & Worts, and in fact every one, and endeavoured to induce them to enter into the great enterprise. I told them, as Hon. Sir Francis Hincks told Sir Hugh Allan, that by law there was no other way of building the road but by a company, and that they ought to get up a grand company, get a charter and go to England for any capital they needed.

As I went to Toronto, Hon. Sir Francis Hincks went accidentally to Montreal, and told Sir Hugh about the American gentlemen who had called on us, and the fault I found with my friend Sir Francis, and which I ventured to tell him when he was a member of the Government was, that while merely attempting to stimulate Sir Hugh to go into the work, he had named to him that he had better put himself in communication with the American capitalists. That was the act of Hon. Sir Francis Hincks. That was his concern, and I would not at all object to American capital, or capital from England, or anywhere else, but I told Sir Francis on his return that he had been premature in this, that we ought to have kept to a great Canadian Company before any offer or intimation that Americans might come in was made.

Then Sir Hugh, acting on the hint given by Sir Francis, and it was no more than a hint—it was in no way a Government action—communicated with the Americans, and we had a visit from a number of Americans with Sir Hugh; and Mr. Speaker, I being spokesman on both occasions, gave them precisely the same answer that they were premature; that we were very glad to see them, but we could make no arrangement until Parliament met. I said we would be very glad, however, to hear any proposition, and asked them whether they had any to make. Sir Hugh asked in return whether we were in a position to entertain a proposition; and on our replying in the negative, he rejoined that he had no proposition to make. And these were all the communications between the Canadian Government and these gentlemen. (*Cheers.*) This statement cannot be controverted, and will not be.

In the meantime a sectional jealousy had arisen, instead of, as I had hoped, a joint action between the capitalists of Montreal and Toronto, and instead of, as I had hoped, there being a rush and anxiety among our moneyed men in the different parts of Canada to form one great Company, for the work required united exertion, there was a jealousy fanned from some quarter, which we know now, and this jealousy prevented the two great bodies of capitalists, who ought to have built the road, from joining, and all our hopes were scattered; and a feeling arose in Toronto first, that if the Montreal interest got the preponderance Toronto trade would get the go-by, and second, that Sir Hugh Allan and the Montreal interests were joined with the Americans.

That feeling grew and I am not now in a position to state, after reading the evidence and after reading the letters of Sir Hugh Allan and those published by Mr. McMullen, I am not now in a position

to state that jealousy in Toronto was ill founded. I am not in a position to state that they had not some ground of which we knew nothing for believing that the Montreal party were in communication with the Americans. I am not now in a position to state that the people of Toronto and the Inter-oceanic had not great cause for suspicion and jealousy, whether that suspicion was well or ill founded; but before Parliament met, as I have sworn and as Mr. Abbott has sworn and as every member of the House knows, the feeling against the introduction of American capital was so great that by no possibility could it be allowed entrance.

We felt, Mr. Speaker, and every member knew it, that it was necessary that every American element must be eliminated from the Acts, or they could not pass—(*cheers*)—and I appeal to hon. gentlemen who were then in the House if they do not know, as a matter of fact, that it was understood on all sides that the American element was eliminated. I understood it so; the Government understood it so, and the House understood it so, and Mr. Abbott, who undertook the management of the bill of the Montreal Company through this House, made it a special understanding with Sir Hugh Allan that it should be so before he promoted the bill, and so it was by universal consent.

I know, Mr. Speaker, that it will be said, and I may as well speak of it now, that Sir Hugh Allan's letters show that he still kept up his connection with the Americans. I knew it, and I painfully know it, that Sir Hugh Allan behaved badly and acted disingenuously towards the men with whom he was originally connected. I say that when he found that Americans were not to be admitted he ought to have written to them, and informed them that though he had made a contract with them, still so strong a feeling existed in Canada that he must at once and forever sever his connection with them.

Instead of doing so, however, he carried on a correspondence with them, a private correspondence which he has sworn no one else saw, and which he has sworn that not even his colleagues in the Canada Pacific Company knew of, not even Mr. Abbott, his confidential adviser. He says he conducted it as his own personal affair, believing and hoping that in the end the people of Canada would come to a different view, and allow American capital to be used. He has sworn that, and we never knew that he was carrying on communications with the Americans. Mr. Abbott never knew it and the Canada Pacific Company have declared that there was no connection between them and the Americans, but I have heard it said, I think, by the member for Châteauguay (Hon. Mr. Holton), is it possible that the Government would give a contract to a man who had behaved so disingenuously, and after this want of ingenuousness had been shown to the Prime Minister, by the exhibition of the correspondence?

Sir, let me say a word about that. After the Act passed and we were working with all our might to form a good company and a strong one, long after, Mr. Speaker, as it appears in the correspondence between Sir Hugh Allan and the Americans, Mr. McMullen came to my office in order to levy blackmail.

(*Cheers.*) He did not show me the correspondence but he flourished certain receipts and drafts which Sir Hugh had drawn at New York. There was nothing, however, in that because he had told us he had gone into that association, and we knew that he had communication with the Americans, and there was nothing extraordinary in my seeing that these gentlemen had subscribed a certain sum of money for preliminary expenses, and I have never known a Company, railway of otherwise, without preliminary expenses being provided for by the promoters. I told Mr. McMullen, therefore, that it was his matter, and that he must go and see Sir Hugh.

I heard no more about the matter until late in January or February, after we had formed the Company, after a correspondence with every Province of the Dominion, after having tried to excite and having successfully excited the capitalists of the different Provinces to subscribe, after we had got everything prepared, after I had drafted the charter and the great seal only required to be affixed, and just when the charter was about to be launched, and the Company to build the road was about to be made a certainty, then Mr. C.M. Smith, Mr. Hurlbut and Mr. McMullen walked into my office.

I do not say that Mr. Smith or Mr. Hurlbut came to levy blackmail. I do not think they did, for they looked respectable gentlemen, and spoke and behaved as such. They told me Sir Hugh Allan had behaved very badly, and they read a good deal of the correspondence which had been published, and I told them then, "Gentlemen if your statement is true, Sir Hugh Allan has behaved badly towards you, but the matter is your own, and Sir Hugh is no doubt able to meet you." They spoke of the seizing of his ships and bringing actions against him both in the United States and Canada, when I repeated to them that they had their proper remedy, and added that Sir Hugh had not the slightest power to give them the contract. (*Cheers.*) I told them that he ought to have broken off his connection with them long ago, and that if he had kept them in the dark they must take their own remedy against him.

We were then asked how could we admit Sir Hugh into the contract. Mr. Speaker, we had already admitted him. The contract was made. Every Province had been given its Directors. The charter had been drawn, and only waited the signature of the Governor General; and more than all this, the correspondence, whatever may be said of the conduct of Sir Hugh Allan towards the Americans, proved the existence of hostility between them, and showed that if Sir Hugh were one of the Company who received the contract, we should keep the Americans out altogether.

I had to get that contract let. I had to get a sufficient number of the capitalists of Canada who would take up this subject, and Sir Hugh Allan was the first. He is our greatest capitalist. He was the first man who went into it, and these gentlemen, Mr. McMullen and the rest, proved to me that Sir Hugh Allan had cut the cord of connection, had nothing to do with the Americans, or with Jay Cooke & Co., and that they were resolved to follow him to the death as they had done. (*Hear, hear.*) This, then is the narrative, so far, of our connection with the Pacific Railway.

My evidence states that shortly before the elections I went to Toronto, and Sir George-É. Cartier went to Montreal. I do not wish hon. gentlemen to suppose for one single instant that I would desire to shelter myself or my living colleagues by throwing the blame on my dead colleague. (*Cheers.*) Whatever Sir George-É. Cartier has done I will assume the responsibility of. (*Hear, hear.*) Whatever Sir George-É. Cartier has done I must accept as being the honest expression of an individual Minister; but, sir, I do not admit, and I will not admit, and it is not safe for hon. gentlemen opposite to admit, that any one Minister can bind a Ministry. (*Cheers.*)

I went to Toronto in order to descend to the stern contest that was forced upon me by the course taken by hon. gentlemen opposite, to meet the arguments that were going to be used against me, the sectional questions that were raised against me, the numerous charges which were made against me, and which I had always found operating against me. When I went to Ontario for that purpose, and to meet these charges, it was not for the first time. As long as I have been in Parliament I have been charged by hon. gentlemen opposite with selling Upper Canada, with sacrificing the best interest of Upper Canada, with selling myself to French domination and Catholic influences and Lower Canadian interests.

I had refuted these charges repeatedly, and had convinced the majority in Upper Canada that I held then as I do now the principle of union between Upper and Lower Canada, and that the only way by which that union could be firmly established was by ignoring sectional questions and religious differences. (*Cheers.*) These cries are still raised. You will hear them before many days in this House, and you will hear them throughout the country whenever it pleases hon. gentlemen opposite to raise them; but as my past history has shown, so my future history will prove that whatever party political expediency may be, I have never, and shall never give up the great principle of keeping intact the union of Upper and Lower Canada by a give and take principle, by a reciprocity of feeling and by surrendering our own religious and political prejudices for the sake of Union.

I went to the West to do what I could during the elections, in fighting the battle of the party and the Government. I had simply said to Sir George-É. Cartier that I should have a very hard fight in Upper Canada, as I had the Government of Ontario against me, and I wished him to help me as far as he could. I went to Toronto, and I tried all I could before the elections took place to procure an amalgamation of the two Companies.

It was of vital importance, in a Party point of view, laying aside the patriotic view, to have a Company to build the road, composed of the Montrealers and the Toronto men, so that I could have gone to the country and said, "Here is a great enterprise. We have formed a great Company. We are carrying out a great scheme. We are forming a great country." I spared no pains to procure an amalgamation; Senator Macpherson, and any one in Toronto connected with the enterprise, will tell you how hard, how earnestly, in season and out of season, I worked to procure that amalgamation. I failed. I thought I had succeeded two or three

times. I abandoned my own constituency; I might have been elected by acclamation, or at all events by a very large majority, but instead of attending to my election I went up to Toronto to attempt to bring about an amalgamation between the two companies. Then they got up a story about me, according to the habit of the Opposition that I considered my constituency a pocket borough, and thought I could afford to pass it by.

I thought at one time I had succeeded in procuring an amalgamation, and Mr. Abbott came up to Toronto in response to a telegram from me. We had an interview with Mr. Macpherson, and almost succeeded in coming to an agreement. The only question was whether there should be seven and six or five and four directors from Ontario and Quebec. The arrangement was so near that I was satisfied when I left Toronto that the amalgamation was complete. I found, however that that was not the case, and in the middle of my election on the 25th, I think, of July, I telegraphed to Mr. Macpherson to come down, and he came down to Kingston and saw me and then I sent that telegram which had been published in the papers, and which was the only arrangement as regards the granting of the charter so far as the Government were concerned, so far as I was concerned. (*Hear, hear.*) That telegram which was sent on the 26th of July was sent by me to Sir Hugh Allan after seeing Mr. Macpherson, and with the knowledge of Mr. Macpherson.

Now what does that say? I was obliged reluctantly to give up the hope of having an amalgamation before the elections. These little jealousies, these little personal ambitions and the jostling between seventeen and thirteen members on the board had come in the way, and I could not carry out the arrangement I had hoped to complete. I could not spare the time. I was in great danger of losing my election by throwing myself away on this great Pacific Railway. I actually came down to Kingston only on the day of my nomination, trusting to the kindness of my old friends in Kingston.

Well, Sir, what was the telegram which I sent? It said: "I have seen Mr. Macpherson"—he was in the room when I wrote it. "I have seen Mr. Macpherson. He has no personal ambition, but he cannot give up the rights of Upper Canada. I authorise you to state that any influence the Government may have in the event of amalgamation, shall be given to Sir Hugh Allan. The thing must stand over till after the elections. The two gentlemen, Mr. Macpherson and Sir Hugh Allan, will meet in Ottawa and form an amalgamation."

That was the proposition which I made, and just think, Sir, what was involved, think how much I was snubbing, which is a word which had been used by the *Globe* lately, how much I was injuring and prejudicing the interest of my colleague in Montreal, Sir George-É. Cartier. Sir Hugh Allan did not care so much for the Pacific Railway, and Sir George-É. Cartier did not care so much for Sir Hugh Allan. It was not Sir Hugh Allan or the Pacific Railway that he cared so much about; but Sir Hugh Allan had made himself the representative man of Lower Canada with respect to the Northern Colonization Road, the North Shore Road, and the Ottawa and Toronto Road, so that the members from Lower Canada would

have stood by Sir Hugh Allan even to the risk of losing all the elections, because their Montreal interests would be so much affected if Sir Hugh Allan were not sustained with regard to the Pacific Railway.

But with respect to the other railways, my hon. friend from Hochelaga (Mr. Beaubien) and other gentlemen can say that if there had been accord between Sir Hugh Allan and the French members of Lower Canada from the Montreal district there would have been a great peril of the Lower Canadian members from that district deserting Sir George-É. Cartier, and supporting Sir Hugh Allan in carrying out the Northern Colonization road.

I was standing by Sir George-É. Cartier, who was most improperly charged with being so much attached to the Grand Trunk Railway that he would not do justice to the other roads. I will ask my friends from Lower Canada if Sir George-É. Cartier's connection with the railway had anything to do with the result of the elections. His prospects were connected with the local roads alone. In order to prove to you how true a man Sir George-É. Cartier was, how perfectly unselfish he was, I may state that he held back on my account. When he said, "I wish to be elected on my own merits, and on my own services, and not on account of the Colonization or any other road," (*cheers*) and when by a word he could have put an end to the cry of interest, he felt that it was a sectional feeling between Upper and Lower Canada, and that if he pronounced in favour of any railway in Lower Canada, he would injure me in Upper Canada, and he sacrificed himself for my sake in Lower Canada, because he thought that any pronouncements in favour of Sir Hugh Allan, might injure me and my friends in the western elections. (*Cheers.*) I had only one thing to do and that was to return to him the confidence and trust he had reposed in me. I said "Don't mind me. Fight your own battles. You must make your own arrangements with your friends in respect to the railways," and it was not until he had that communication with me that he said he would help the Northern Colonization road.

It was not because Sir George-É. Cartier had any personal objects to gain, it was not because he was connected with the Grand Trunk Railway, but it was purely from a desire to save me from any possible difficulty in Upper Canada that he held back, and I have here now, when he is dead, the proud opportunity of stating that even in the last moment he was actuated by no selfish feelings, by no desire to promote his own interests, but that he only thought of his colleague, of his comrade of twenty years. He only thought that by appearing to promote a national interest in Lower Canada he might hurt me in Upper Canada and he threw away all his chances, all his hopes, everything like a certainly or a reasonable hope of success, for the purpose of standing by me, and I am proud and happy now to pay this tribute to his memory. (*Cheers.*)

Well, Sir, on the 26th of July I sent a telegram, and that was the only bargain. No man can make a bargain with the Government, except by an Order in Council, or by the action of the First Minister, recognized and accepted by his colleagues. Any act of a First Minister until it is disavowed is considered equal to a minute

of council, equal to an Act of the Government. That telegram of mine of the 26th of July was an Act of Government. My colleagues have not repudiated it; they have accepted it, and was a fair arrangement as we could not get the amalgamation.

As we could not succeed in going to the country with a perfect scheme for building the Pacific Railway, what else was left to us but to keep the amalgamation of these great capitalists open till after the elections, and then call them together, and the only word of preference for Montreal over Toronto was simply my expression that any influence the Government might have in case of amalgamation, in the case of the two Companies joining and electing a Board of Directors, would be fairly used in favour of Sir Hugh Allan for the Presidency. I think that was due to Sir Hugh Allan, and after all it was no great affair. Everybody knows that the President of a Company is no more than the junior member of the Board of Directors. It depends altogether upon the personal weight of the man. We have seen Boards where the President governed the Board; others where the President was a mere figure head, and others again where the junior member governed the Company. It depends entirely upon the personal figure and authority of the man.

Well, Sir, I made that promise, but I wish the House to remember that at the time of that telegram, in which I simply stated that as we could not form a Company before the elections, we would form one afterwards out of the two, and would do what we could to make Sir Hugh Allan President. At that time there had been not one single word said about money—*(cheers)*—and there never was one said, as far as I was concerned, between Sir Hugh Allan and me. *(Hear, hear.)*

I was fighting the battle in Western Canada. I was getting subscriptions, as I have no doubt the hon. member for Lambton (Hon. Mr. Mackenzie) was getting subscriptions, and if he denies it I will be able to prove it. *(Cheers.)* I state in my place that I will be able to prove it. *(Cheers.)* I was doing what I could for the purpose of getting money to help the elections, and I was met, not only by individual exertions, but by the whole force, power and influence, legitimate and illegitimate of the Ontario Government. I have no hesitation in saying that in all expenditure, we were met by two dollars to one. *(Hear, hear.)* I have read with some amusement the attacks that have been made upon the Government, because a member of the Government was a party to this fund. If we had had the same means possessed by hon. gentlemen opposite; if we had spies; if we had thieves; if we had men who went to your desk, picked your lock and stole your note books, we would have much stronger evidence than hon. gentlemen think they have now. *(Cheers.)* We were fighting an uneven battle. We were simply subscribing as gentlemen, while they were stealing as burglars. *(Cheers.)* We may trace it out as a conspiracy throughout. I use the word conspiracy advisedly, and I will use the word out of the House as well as in the House. *(Cheers.)*

The hon. member for Shefford (Hon. Mr. Huntington) said that he had obtained certain documents. He attempted to read them to this House, not much I think to his credit, and certainly contrary to

the sense of the House and of the country. Now how did he get these documents. We had Mr. George W. McMullen, who was the American agent of these gentlemen. He had carried on this correspondence with Sir Hugh Allan, and when he came to me in December and tried to levy blackmail on me *(hear, hear)* I told him to go—well I did not use any improper language, but I told him to step out of my office, *(Laughter and cheers)* and he went to the hon. gentlemen opposite. *(Cheers.)* This is no mere hypothesis of mine. Sir Hugh Allan had promised to pay this man \$17,000 for these papers, and although he had the money almost in his hand, the hon. gentlemen gave him something more. *(Cheers.)* The hon. gentlemen cannot deny that he did.

Hon. Mr. HUNTINGTON: I do deny it. *(Opposition cheers.)* The statement is without foundation.

Hon. Sir JOHN A. MACDONALD: If there is one person in the world whom the hon. member for Shefford had as a friend, it is the editor and proprietor of the Montreal *Herald* *(hear, hear)*. I think he takes him to his bosom. I think they sleep together. I think that they have but one thought. He is a guide, philosopher, and friend, and when we have the announcement from the Montreal *Herald*, of May the 22nd, 1873, I think we must accept it. "No one can suppose that such a plot could have been laid bare without great labour and large expenditure," *(cheers)* again, the *Herald* says, speaking of Hon. Mr. Huntington,—“But for the courage with which he assumed it, as well as for the pains and expenditure which it has cost him to expose the mystery, he is entitled to the warmest gratitude.” *(Cheers on both sides of the House.)* I judge from the cheers of hon. gentlemen opposite that the hon. member for Shefford has their thanks; but that is an admission that he made the expenditure. *(Oh! oh! and cheers.)* This man bought Mr. McMullen. It is admitted by the Montreal *Herald* that he bought him. *(No! no! and hear, hear.)*

Hon. Mr. HUNTINGTON: I have already stated in the House that the charges were not founded on any information from Mr. McMullen, and that the statements which have appeared were false. I never got any information from McMullen till long after I made the charges. I never paid nor promised him a cent, and the statement of the hon. gentleman is utterly without foundation. *(Opposition cheers.)*

The statement also that he made a few minutes ago that I have been influenced here by foreign gold, and that foreign gold had been used in my election, is an utterly unfounded statement, false in every particular; and I challenge the hon. gentleman to the combat, and dare him on his responsibility to take the Committee. *(Hon. Mr. Huntington was proceeding, when cries of "Order!" were raised on the Government benches, answered by Opposition cheers. The hon. gentleman went on speaking in the midst of an uproar which rendered his remarks perfectly inaudible.)* On order being restored,

Hon. Sir JOHN A. MACDONALD preceded. There, Sir, it is very evident that I have hit the spot; that I have hit him on a sore

point. (*Cheers and No! no!*) I have told the hon. gentleman that I am willing to have a Committee to inquire into the whole matter, including the case of the hon. gentleman.

Hon. Mr. HUNTINGTON: Oh! You can back out as you will.

Hon. Sir JOHN A. MACDONALD: I am not backing out, but the hon. gentleman cannot expect to have it all as he likes. I'll read another extract. "Mr. Huntington said that the charter was obtained in the session of 1872, long after the men who furnished the money to him (Sir Hugh Allan) were repudiated and made arrangements with him (Hon. Mr. Huntington) to bring the charges against the Government." (*Cheers.*)

Hon. Mr. HUNTINGTON rose to a question of order. The report of my speech is entirely without foundation. (*Cries of order, order.*) That is a question of fact, and the hon. gentlemen can correct it afterwards.

Hon. Sir JOHN A. MACDONALD: I heard it myself. (*Cries from Government benches, "We all heard it."*) Perhaps the hon. gentleman will deny that he said Jay Cooke would have him in his office without a witness.

Hon. Mr. HUNTINGTON: That is another falsehood of the *Ottawa Times*. That paper, which is inspired by hon. gentlemen opposite, deliberately falsified my speech from the beginning to the end. I refused to disgrace myself by noticing the malignant statement of the dastard sheet.

What I said was that I had not seen Jay Cooke for four years; that I went to a prominent promoter of the Northern Pacific Railway (*hear, hear*), with that view of conversing with him and found that they were the allies of hon. gentlemen opposite, because they would not even talk to me without people being present. (*Hear, hear.*)

The SPEAKER: I must call the hon. member to order. I hope this interruption will cease. The hon. member knows what the rules of debate are as well as any one else in the House, and this plan of interruption can only lead to assembly confusion in the House. The hon. gentleman will ask his opportunity from the House. I am sure it will be given to him, and he can then make his denial on the question of fact.

Hon. Sir JOHN A. MACDONALD: I wish to invite the attention of every hon. member of this House who is an honest and candid man, to the statement I am making. There could be no amalgamation before the elections. In my telegram of the 26th of July I stated that the question must stand over until after the elections; that the two companies would stand on perfectly equal footing, and that the arrangements which had been made between Mr. Macpherson and Mr. Abbott should be the guiding line. That arrangement was that Upper Canada should have seven, Lower Canada six, and each of the other Provinces one Director on the Board. Not by any chance or possibility could Sir Hugh Allan by his large capital, or the influence created by that capital, get an undue influence on the Board for Lower Canada or for himself over my own Province.

On the 30th of July I received a letter from Sir Hugh Allan, Sir George-É. Cartier being sick, stating that he had made certain arrangements with Sir George, and it was a bad arrangement, for it was something like this, that if there should not be an amalgamation he thought that Sir Hugh Allan's Company ought to get the charter. I received that message in the middle of my election contest, and I said to myself it is not much consequence whether one company or the other gets the charter if they unite, but it will kill me, it will kill us if the Montreal Company without amalgamation receives it. However, I telegraphed back at once that I would not agree to the arrangement, and I would go down to Montreal that night. Yes, Mr. Speaker, in the midst of a severe election contest, for I was elected only by 130, whereas at the previous election I had a majority of 300, I said I would run down to Montreal on this matter. I telegraphed to Sir George-É. Cartier that I would not consent to the arrangement, and that my telegram of the 26th of July, 1872, would be the decision of the Government, and the Government would be bound thereby, and would be governed by nothing else.

I wish it to be clearly understood, beyond the possibility of doubt, that the Canadian Government had agreed that since it could not obtain an amalgamation of the two companies before the elections, they would try to get an amalgamation after the elections, and in such an amalgamation they would do what was fair, in order to get Sir Hugh Allan made President of the Amalgamated Company. (*Cheers.*)

I say that that arrangement made by Sir George-É. Cartier was set aside and why? Because it would have killed me in Upper Canada. I telegraphed that even at the risk of my election I would go down to Montreal and put an end to it, and Sir George-É. Cartier, when he got my message, saw what an absurd proposition it was, and there was an end of it, and Sir Hugh Allan telegraphed back that the bargain was ended. At that time there had not been one single word said about money subscriptions.

Sir, it may be very wrong to give subscriptions to election funds at all, but is there any one gentleman opposite who will say that he had not expended money himself, or has been aided in doing so by his friends. (*Several members of the Opposition here denied the charge.*) Whether those acts had been done by members themselves or their friends, money was spent and always would be spent on elections. I don't hesitate to say—and I state this in the face of this House, of the country and of the world—that I am not aware of any one single farthing having been spent illegitimately and contrary to the law—(*Opposition laughter and cheers*)—by members on the Government side of the House. I can tell of one man on the other side who spent \$26,000; another case I can prove of spending \$30,000, and I can also prove cases of spending \$5,000, \$6,000, \$7,000 and \$8,000, and when the Committee which the hon. member for Bothwell (Mr. Mills) challenged me to move, and which I intend to move, is appointed, I shall give the proofs. (*Laughter, in which Mr. Blain joined.*) I can prove the expenditure of money by that gentleman (Mr. Blain) himself.

Mr. BLAIN: If the right hon. gentleman refers to me, I say there is not a particle of truth in the statement. Not one single solitary cent came out of my pocket unfairly. *(Cheers and laughter.)*

Hon. Sir JOHN A. MACDONALD: Perhaps the gentleman has not a pocket. Perhaps his wife has. *(Laughter, and cries of "Shame" from the Opposition.)*

Mr. BLAIN rose. *(Cries of "Order".)* He said the right hon. gentleman had made a charge against him. He would answer it at another time.

Hon. Sir JOHN A. MACDONALD: Before the Committee which I propose to move, and which will have power to administer an oath, and which the member for Bothwell (Mr. Mills) has invited, I shall be able to prove the fact I stated. The hon. gentleman will perhaps reserve himself for that. *(Interruption.)*

Hon. Mr. HOLTON: I raise the question of order. I doubt whether the right hon. gentleman is in order in making statements affecting the right of hon. gentlemen to sit in this House without formulating charges to be followed by a motion. The hon. gentleman intimates his intention of making a motion at a future time, but he cannot move a motion of the kind indicated in a debate on the Address. To charge members with having obtained their seats by improper means is therefore a violation of the proprieties of debate, and I believe of other standing orders of the House.

Hon. Mr. BLAKE: In the case of the member for York West (Mr. Blain) the proceeding is doubly irregular, for it is interfering with an actual petition pending before an election Committee.

The SPEAKER: The question before the House really does not properly relate to these subjects. *(Hear, hear.)* I have not hitherto interfered in any way with this debate. There has been a good deal of language used which is not strictly Parliamentary, and reference made that might better have been avoided, but the subject of the debate is of such a character that I thought I ought not to interfere with free discussion. I have not used any influence to stay the parties who have been marking this charge against the Ministry, and I should have still pursued the same course unless applied to by the other side; but I must say I think it would be better if the Minister of Justice (Hon. Sir John A. Macdonald) would refrain from making direct charges against individual members. *(Hear, hear.)*

Hon. Sir JOHN A. MACDONALD: I submit to your decision, Sir, I would not have alluded to the hon. member if it had not been for the offensive way in which he interrupted me, and my knowledge about his case. The hon. gentlemen opposite will find out that I know a great deal more about their elections than they would care that I should know.

I shall now proceed with the history I am giving to the House as well as I can under these unseemly interruptions. Sir, there never was an occasion, there never was a minute, in which the interests of Canada were sacrificed by the Government of Canada for election purposes. *(Loud cheers.)* I say that we carry out the law as well as

the law could possibly be carried out. *(Cheers.)* I say that up to the very last moment we tried to obtain an amalgamation of the two Companies. I almost went on my knees, which is not my habit, I am sorry to say, to my friends in Toronto, for the purpose of securing an amalgamation, and though I did not secure an amalgamation of the two Companies, yet I got an amalgamation of the two interests, and secured the best men in Western Canada.

I have no hesitation in saying that in the Company chartered by the Government, we have the very best men in Canada, considering all the circumstances. Let us go over the whole Board from Upper Canada. There is Mr. Donald McInnes, of Hamilton, I will ask the hon. member for Welland (Mr. Thomson) if he is not a merchant of standing and respectability, and one of the last men to sell the interests of the Dominion to the Yankees. I asked the Hon. Mr. Carling to come on the Board, but when the House came to the conclusion to exclude members of Parliament from that Board, I obtained Major Walker, representing one of the leading industries in the West. Then there is Col. Cumberland, and can we suppose that Col. Cumberland, who is at the heat of the great railway interests, and is charged with the management of millions of dollars, would sell himself to Sir Hugh Allan or the Yankees. *(Cheers.)*

I ask if Mr. Fleming, the engineer, the man whose name will live on the continent for his great engineering exploits, and who was objected to with Col. Cumberland and Major Walker by Sir Hugh Allan. Then the last man I asked was Mr. Walter Shanly. To some of you Walter Shanly may be unknown, but in the old Provinces of Canada he is everywhere known as being most highly respected, and as an engineer, the man who formerly managed the Grand Trunk, the man who achieved the great triumph of constructing the Hoosac Tunnel. I asked him as a personal friend of mine, as an old Ontarian, as one who was representing a wealthy constituency, to come on that board, and much against his will he came.

In the same way let us look at the Lower Province members. We look at Mr. E.R. Burpee. That is a truly honoured name, I am told, in New Brunswick. Do you think that E.R. Burpee is going to sell to the Yankees, Jay Cooke & Co., or to the member for Shefford. *(Laughter and cheers.)* Then we come to Lieutenant-Governor Archibald, of Nova Scotia, and is he likely to sell us to the Yankees, the member for Shefford (Hon. Mr. Huntington), or Jay Cooke & Co. I appeal to all the members for British Columbia, some of whom were opposed to him in politics, whether the name of Dr. Helmcken did not inspire respect. *(Cheers.)* With respect to Manitoba, I will only ask you to say whether Mr. McDermott, the richest and oldest merchant in Manitoba, a man who was the last who would sell the interest of this great Dominion to the Yankees, whether that man would sell Canada. If ever any Government succeeded in accomplishing any particular object, surely this Government tried, and succeeded, to prevent foreigners from obtaining influence in or control over our transcontinental railway. *(Cheers.)*

By their line of action, the gentlemen opposite have postponed for some years the building of that railway, and they have

besmirched unjustly, dishonourably, the character of the Canadian Government and of the Canadian people. (*Cheers.*) If there be any delay, any postponement in the completion of that great system of railways, I charge it to the hon. gentlemen opposite. (*Cheers.*) Long after this quarrel is over, it will be recorded in the history of this Dominion of Canada that there was one body of men in this country willing to forget self, to forget Party, to forget section to build up a great interest and make a great country, and they will say that there was another Party who fought section against section, province against province, who were unable to rise to the true position of affairs, and I say the history of the future will be our justification and their condemnation. (*Loud cheers.*)

But, Sir, I have some more to say. I say this Government has been treated with foul wrongs. (*Cheers.*) I say this Government has been treated as no Government has ever been treated before. It has been met with an Opposition the like of which no Government in any civilized country was ever met. (*Loud cheers.*) I say we have been opposed not with fair weapons, not by fair argument, not by fair discussion, as a Government ought to be opposed, but opposed in a manner which will throw shame on hon. gentlemen opposite. (*Renewed cheers.*)

When we first met in this House, and we first discussed the Pacific Railway measures, I told you, Sir, that there was a confirmed plan to kill the Pacific Railway Company. The attack on the Government was a secondary matter. It was comparatively an inferior matter. But those gentlemen opposite went into the attack for the purpose of getting in evidence as quickly as possible for the purpose of sending it across the Atlantic by cable and kill Sir Hugh Allan's enterprise, and afterwards leave the proof of the evidence to chance.

Then we found that Sir Hugh Allan, by a very natural feeling, agreed to pay a certain sum of money to Mr. McMullen for the return of his correspondence, which was accepted, and the whole matter was arranged. Then blackmail was attempted to be levied on me, but I was not subject to be blackmailed. (*Laughter.*) They did levy blackmail on Sir Hugh Allan in Montreal and McMullen, for surrendering his letters to Sir Hugh, was paid \$20,000, and promised \$17,000 more on certain conditions being fulfilled. Mr. McMullen got his extra sum from some one.

The hon. gentleman (Hon. Mr. Huntington) would deny that Mr. McMullen was paid by some one. Everyone will believe that man who was to be paid that large sum of \$17,000 did not accept it because he was offered some larger sums. (*Cheers.*) I believe that when we have the Committee which the member for Bothwell (Mr. Mills) challenged to move for, I shall be able to prove more than the \$17,000, and I believe I shall be able to prove there were other parties in the purchase of G.W. McMullen, who over-bid Sir Hugh Allan. (*Cheers and an Opposition member, "is it not right?"*) It was never right to buy him in the first place, nor in the second place, but if Sir Hugh Allan by paying \$17,000 committed a crime, the man who paid him a larger sum must surely have committed a larger crime. (*Laughter and cheers.*)

I say that you must have a Committee in order to ascertain who are the gentlemen who went and deliberately bought those documents from Sir Hugh Allan. That may be fair war, but some one said it was striking below the belt. The man who goes deliberately and bribes people to hand a man's private letters, is a man who will be marked as a criminal all his life, and the man who goes and deliberately purchases private letters for any purpose, even though it may do good to the public, and expose a corrupt Government, will be generally condemned. Then we come down to a little more infamy. When I tell you that a letter of mine, addressed to a colleague at Montreal, was deliberately stolen, and when I tell you there was no doubt that it was stolen because it was thought to contain something that could be made politically useful, you can understand what infamy that is.

Mr. BLAIN rose to a point of order, and submitted that this question was not before the House.

The SPEAKER ruled against him stating that it came on the Address, which covers almost every possible question connected with public affairs.

Hon. Sir JOHN A. MACDONALD: When I wrote that letter to my colleague, the Minister of Agriculture, I sent, at the same time, three telegrams to three different places, and that telegram was seen by some one acting in the interests of the Opposition, and from it they supposed that the letter would be connected with the Pacific Railway matter. That letter was deliberately stolen, not only stolen, but was stolen by an officer of the Post Office Department. I say stolen by an officer who was bought by some one, and who will some day, not long distant, for the evidence is being followed up and has not been abandoned, be found out, and it will be shown that he, believing that the letter contained something that would criminate the Government, stole it from the office and handed it over to be used in the manner the House was aware of. True it was that the letter contained nothing respecting the Pacific Railway.

I have got evidence beyond the possibility of a doubt, that my telegrams were stolen from Sir Hugh Allan's office, day after day; that a man went to the office night after night, after six o'clock and copied those telegrams and brought them down and sold them to the Opposition; that the safe of the office was not broken, and that after the documents were copied and sworn to by the man, he was paid money for them. I state this in presence of the House and of the country; and there was such a dishonest system of espionage carried on. And I say more than this, I join with the hon. member for Bothwell in asking for the Committee, before which I will prove all that I have said, and will put a credible witness in the box, who will swear he saw it with his own eyes.

You can judge how poorly the Government has been treated. In fact no Government in the world could exist if every drawer is to be searched, if every confidential servant is to be bribed by money offered to them. I may tell you this one thing, that I had got the evidence of this treachery, parties actually approached a secretary in Mr. Abbot's office, and offered him money to tell how much

evidence had been obtained. Mr. Abbott is present in the House and will attest the truth of what I state. I can prove that from the beginning to the end of this business there was never a more gross system of espionage, of corruption, of bribing men to steal papers from their employers; and I would ask how any Opposition or Party in this country could stand under such an accusation if it be proved.

Sir, before I sit down I will touch upon one point to which I have not yet adverted, and that is how far a Government or member of a Government may concern themselves in elections, and the necessary expenditure or supposed expenditure of money at elections. I would wish to point out what has taken place in England, not under the old regime, but by the Reform Party in England. It is of some importance, as showing at all events that for everything I have got good authority. The House well remembers the great struggle, almost amounting to a revolution, which accompanied the passage of the Reform Bill in England. Well, Mr. Speaker, strange to say, the Reform Party there, who were going to purify the political atmosphere, those who were going to put down the old borough mongers, did not hesitate to spend money at elections. They did not trust to the excellence of their measures, to the justness of their cause, and the consequence was that before the date of the Carlton Club and the Reform Club, of which so much has recently been said, the Reform Party had a Treasurer, and whom do you think they gave the office to? It was the maker and unmaker of Whiggery, Edward Ellice.

Now, Edward Ellice was the man who made the Whig Government. He was a member of the Government, and acted as whipper-in of the Party, and was the man ordinarily employed in making arrangements about elections. But Edward Ellice was man incapable of doing anything which he did not think he was justified in doing. Any man who knew that right hon. gentlemen, who knew what a great influence he had on the history of his country, would know that Edward Ellice was perhaps a greater man for pulling the strings and making arrangements for Reform than even Lord John Russell himself.

Let me tell you a little story about him. In my boyhood, when I knew him, he often told me stories of this sort. In 1834 there happened to be a committee on the Inns of Court. Mr. Daniel O'Connell was the Chairman, and it came out in that investigation, which involved the seat of a member of Parliament, that Lord Westham had got five hundred pounds from Mr. Ellice the Secretary of the Treasury, in order to carry the Liberal candidate. O'Connell felt it his bounden duty to report this matter to the House, and there was a motion of censure moved against Mr. Ellice by Mr. O'Connell. Mr. Ellice resigned his place and I shall read you what he said. At the time he made that speech he was Secretary of War; at the time he expended the money he was Secretary of the Treasury. He was an important man to the Government and might have been Cabinet Minister, had it not been that as every one who knew the history of those times knew, he would not take that position. He was the man who arranged matters for the Whigs, and he was charged with having used the secret service money in elections, as, by the way, I was a short time ago.

The right hon. gentlemen then quoted from Mr. Ellice's speech, volume 27, *Mirror of Parliament*, and now said he, I will quote from Sir Charles Buller. Sir Charles Buller was the head and front of the Philosophical Radicals of England. They formed a Party of their own, and tried to engraft their principles on the politics of England, and, although they did not succeed, they sowed good seed, the results of which are seen at present day. I, who was a boy, remember him, and remember the kindness with which he discussed politics with me, and I am certain that he would have sustained the cause of the Liberal Party by nothing that was wrong.

The right hon. gentleman quoted from the speech referred to. The attack was made upon Mr. Ellice that he had spent money out of the Secret Service Fund; but when Mr. Ellice rose and said that he had spent no money out of the Secret Service Fund, and that although a very large sum of money had passed through his hands for election purposes, none of it had been improperly procured, the House passed on without taking any action, though Mr. O'Connell supported the motion with all his great eloquence and ability.

A remark has been made in the newspapers that on one occasion I stated that no money had been expended by the Government on elections, and in answer to the charge, I asked Mr. Kidd, on the hustings at South Perth, whether any money had been expended at his election, and he said no, no statement could have been truer.

Sir, the money that was expended by the Committee, of which I was a member, was not with the purpose or object of endangering any man's seat. (*Ironical cheers from the Opposition, and cheers from the Ministerial benches.*) I state distinctly, so far as I know, not one single farthing that passed through my hands was expended improperly or contrary to the law. If it is so, the election tribunal of the country will settle that question, and, as I understand it, no improper expenditure has been proved in any election tribunal. (*Cheers.*) I say distinctly, say it in my place as a member of Parliament, that money was distributed for the purpose of fighting money against money, fire against fire, influence against influence; and we were over-matched by the hon. gentlemen opposite. (*Loud cheers.*)

There is one more remark that I have to make before I sit down. The Government never gave Sir Hugh Allan any contract that I am aware of. (*Cheers.*) We never gave him any contract in which he had a controlling influence. We had formed a Committee of thirteen men, chosen carefully and painfully, for the purpose of controlling Sir Hugh Allan from having any undue influence. We promised, we provided, that not one of the board should hold more than one hundred thousand dollars of the stock, that not one single man should have any interest in the contract whatever, which were, of course, only the ordinary provisions in a charter of incorporation. (*Cheers.*)

Now, Mr. Speaker, I have only one more thing to say on this point. I put it to your own minds. There were thirteen gentlemen, Sir Hugh Allan and others incorporated by that charter. That charter—study it, take it home with you. Is there any single power,

privilege or advantage given to Sir Hugh Allan with that contract that has not been given equally to the other twelve? (*Cheers.*) It is not pretended that any of the other twelve paid money for their positions. It is not contended that the gentlemen gave anything further than their own personal feelings might dictate. (*Cheers.*) You cannot name a man of these thirteen that has got any advantage over the other except that Sir Hugh Allan has his name down first on this paper. (*Cheers.*)

Can any one believe that the Government is guilty of the charges made against them. I call upon any one who does to read that charter. Is there anything in that contract? If there is a word in that charter which derogates from the rights of Canada; if there is any undue privilege, or right, or preponderance given to any one of these thirteen Directors, I say, Mr. Speaker, I am condemned. But, Sir, I commit myself, the Government commits itself, to the hands of this House, and far beyond the House, it commits itself to the country at large. (*Loud cheers.*) We have faithfully done our duty. We have fought the battle of Confederation. We have fought the battle of Union. We have had Party strife setting province against province, and more than all, we have had in the greatest province the preponderating province of the Dominion, every prejudice and sectional feeling that could be arrayed against us.

I have been the victim of that conduct to a great extent; but I have fought the battle of Confederation, the battle of Union, the battle of the Dominion of Canada. I throw myself upon this House; I throw myself upon this country; I throw myself upon posterity, and I believe that I know that, notwithstanding the many failings in my life, I shall have the voice of this county and this House rallying round me. (*Cheers.*) And, Sir, if I am mistaken in that, I can confidently appeal to a higher Court, to the Court of my own conscience, and to the Court of Posterity. (*Cheers.*)

I leave it with this House with every confidence. I am equal to either fortune. I can see cast the decision of this House either for or against me, but whether it be against me or for me I know, and it is no vain boast to say so, for even my enemies will admit that I am no boaster, that there does not exist in Canada a man who has given more of his time, more of his heart, more of his wealth, or more of his intellect and power, such as it may be, for the good of this Dominion of Canada. (*The right hon. gentleman resumed his seat amid loud and long continued cheering.*)

Hon. Mr. BLAKE rose amid loud cheers from the Opposition, and said the hon. gentleman who has addressed the House for more than five hours, has in a long Parliamentary experience learned how to conduct a weak case as no man better than himself knows. When the logic of the case is with him, when he has got an honest straight case, no man knows better than himself the importance of marshalling all the facts in their order, of abandoning all irrelevant topics, of putting all else aside, and of confiding to the House the question which is for its decision; and no man is better aware than himself that when the case is different, as this case is, when the case is of such a character that it cannot bear investigation, that the only course open is to reverse that mode of procedure, to confuse the argument, touch a tender part now for a moment, and then pass

away from it, and revert to it again, but with no connected stain, with no attempt at plain argument, to demonstrate that which it is impossible to demonstrate (*cheers*), and that other artifice which at the close of a long career he has brought into prominence tonight, and which he has copied from his early professional experience, he has followed in this debate, namely, when he has no case to abuse the other side. (*Cheers.*)

Sir, the interests which are at stake on this occasion are too momentous, the circumstances we have to consider are of too grave a character, to permit us for one moment to waste the time of this House by any discussion which is not fairly relevant to these matters, and which is not for the determination of this House. (*Hear, hear.*)

As to the apostrophe by the hon. gentleman, as to those influences upon which he said he now throws himself for judgment, upon the feeling and intelligent judgement, of the House and country, and of posterity, and last and highest, on that member's *conscientia recta* which he says he possesses, my short answer to that feeling apostrophe is this: that the hon. gentleman was called upon to vindicate before the people his policy. When he was called upon by reason and argument to sustain his course, and to prove his title to the confidence of his country, it was not to these high and elevating sentiments he appealed; it was not upon the intelligent judgment of the people he relied, but it was upon Sir Hugh Allan's money (*loud cheers*), which he obtained by the sale of the rights of the Canadian people, which he held in trust.

What have we to do in this great discussion with the question whether a letter had been stolen, whether a telegram had been bought, whether McMullen sold or gave the letters of Sir Hugh Allan? Have these questions anything to do with the question whether the hon. gentleman acted unworthily of his position, and betrayed the trust confided to him? These suggestions of his are interpolated into this debate most unjustly, and they are excusable only from the feeble condition in which the hon. gentleman this night stands. (*Cheers.*) But for that feeble condition, unscrupulous as he has shown himself in debate, I believe that even he would have abstained from resorting to these arguments. If the hon. gentleman has any charge to make against any member of the House of having been guilty of acts unworthy of a member of this House, I do not doubt that at the proper time he will formulate that charge. I do not doubt that even-handed justice will be meted out as soon as he shall have established that they have acted in a manner unworthy of a member of this House; but what have we to do tonight with the question whether the hon. gentleman can or cannot formulate such charges, or can or cannot establish them?

We are dealing with men whom we impeach not as accused but as established criminals. (*Cheers.*) This pledge of the prisoner at the bar, that his accuser has been guilty of some other crime, which the hon. gentleman has been this night declaring, cannot now be entertained. Let him, or those who succeed him in Parliament, at some future day, as soon as he pleases when these charges have been disposed of, redeem his pledges this night given, and put these

matters, or such of them as may be deemed proper, to trial, but let us disembarass the controversy of them.

Whatever be the fate of these charges, they cannot affect the fate of one vote to be given on this question. They cannot affect the consideration of that question which my hon. friend from Lambton (Hon. Mr. Mackenzie) has tendered for the judgment of this House, and which it is proposed to supersede by the amendment of the hon. member for Pictou (Hon. Mr. McDonald). That question is, comparatively speaking, a short and simple one. I thought till I heard the hon. gentleman's speech that it was large enough—that it embraced topics which might well be the subject matter of a considerable amount of discussion; but it is short, simple, and contracted within narrow limits, when you pare it of the vast range of irrelevant topics, which the hon. gentleman has chosen to bring into the discussion.

What are the two questions? First, whether, in the course of the investigation, the conduct of the Government merits the approval of the House; and, secondly, whether the result of the evidence is such as to merit the approval or condemnation of the House. What have we to do with the cries which the hon. gentleman says we raised against him? What have we to do with the question of the Nova Scotia subsidy? What have we to do with the question of the Washington Treaty? What have we to do with the question of the Manitoba Act, or with the attitude of the Opposition at the period of the union of British Columbia, or upon the subject of the Pacific Railway?

The hon. gentleman commenced his speech with the deliberate design of confusing matters, of taking up a subject and then dropping it, and once more approaching it. He commenced by an allusion to the question of the prorogation, and he argued the question upon two grounds. He, first of all, pointed out that prorogation and the will of the people could no longer be opposed, and that the prerogative was a part of the liberty of the people, and he insisted that the question could not subsist for a moment. Whatever opinion he holds as to what the duty of His Excellency was under the advice tendered to him, that question is not raised in this debate.

I limit myself to what is raised in the debate, and that is the course of His Excellency's Ministers—(*cheers*)—the advice they tendered and the course they pursued. It is all very well to tell us that the prerogative is of less importance than it once was. It is all very well to tell us it can no longer accomplish in the hands of the Crown what once it could accomplish.

It makes no difference to a free people whether their rights be invaded by the Crown or the Cabinet. What is material to them is to know that their rights are not invaded, and to secure that they shall not be invaded, to guard against that increased and increasing power of the Executive which presents itself in these modern days. This is no fantasy of mine. You will find the best writers upon constitutional topics pointing out that danger. You will find that most fair and impartial and candid writer, Hallam, expressly

adverting to the danger of the increase by insidious degrees of the executive power of the Cabinet, and the importance on the part of the people to prevent that increase.

It is very well to tell the people you are all powerful, but if you hand over to the Cabinet powers—inordinate powers, not susceptible of being kept under proper control—that very expression of popular will which is necessary in order to popular Government you may be deprived of and what we complain of in the present case is that the hon. gentleman says the prerogative under the advice of responsible Ministers can never be used against the people.

We allege that the prerogative under the advice of the Ministers has been used against the rights of the people. (*Cheers.*) We allege that it has been used in order to prevent the action of the people's representatives. We allege that it has been used in order to withdraw from the cognizance of those representatives the great case which had been pending between the Government and their accusers. We allege in this very case you find an instance of the evil which the hon. gentleman ridicules as a fantasy of the imagination, and you find the necessity of preserving all the forms and the substances of the Constitution, and for preserving all the security for free Government and every reference to the popular body, which our ancestors have handed down to us.

Now, the most dangerous doctrine Parliament can listen to with assent, is the doctrine that it can part with some portion of its ancient privileges. We ought to be most jealous with reference to each one of these. We ought to find not merely that there does not exist some present particular danger from the abandonment, but also, that there exists no possibility of danger from their abandonment. And even if we cannot see at the moment the danger, we must find some preponderating cause for abandoning them before we give up one safeguard which has been handed down to us, and which it is our duty to transmit unimpaired to posterity. (*Cheers.*)

The hon. gentleman has argued this question historically; he has told us that a formal announcement of prorogation was made as from the Crown. I did not understand any such announcement (*Hear.*) No such announcement was in words made. (*Hear, hear.*) I have heard the hon. gentleman announce the intentions of the Crown before today upon such topics. I have heard him announce what the advice to the Crown would be, and what he had been authorized by the Crown to state upon such topics.

That on this occasion it will be said by him there was a formal announcement from the Crown, I say the House did not so understand it. I say more; it is contradicted by the facts supposed, that if the Crown had formally, through the First Minister (Hon. Sir John A. Macdonald) anterior to adjournment, communicated the intention to prorogue at the opening of the House on the 13th of August, the Crown would have sent a second communication to this Chamber, through you, Mr. Speaker, to the same effect; and yet we were informed by you on the 13th of August that you had that day

received a communication from His Excellency that it was his intention to prorogue the House that day. I want to know, if a formal message had been understood by the Government to be communicated before, why there was a second intimation to the House through you to that effect?

No, Sir, the whole idea of prorogation on the 13th of August was based of necessity upon the one theory of the result of the members of the Committee, namely, that their labours would be effectually prosecuted, and that they would result in a verdict of acquittal. I do not believe that the hon. gentleman would seriously argue that he intended that this House, provided the evidence before the Committee established the charges, was to wait till next spring before it pronounced judgment upon the case; that this House would allow Ministers to maintain the control of the Government of this country after they had been clearly proved to have been unworthy of the trust committed to them. I believe that a proposal like that would not have been assented to by the House, and whatever was said, must from the necessity of the case be taken to have been said under the conditions I have named.

He himself would not have dared to say to this House "though the evidence taken before the Committee proves my guilt, I will still have Parliament not meet for business on the 13th; I will still retain power till February or March next." He would not have dared to say that; but in the ostentatious assumption of innocence that he put forward, he chose to affirm that nothing whatever could be proved, and that the result of the Committee would be to establish his innocence, and therefore there would be nothing for the House to do.

Now, Sir, that it was thought impossible that that state of things which the hon. gentleman was finally and definitely agreed upon, the adjournment should, under all circumstances, and under all contingencies, remain as the settled state of things, is shown by our being here this night, discussing this question, because the contingency did arise, which rendered it quite impossible to adhere to this programme of the hon. gentleman, which he declared to be settled and final. His programme was that Parliament should not meet till February.

What do we hear now of a breach of faith on the part of the Crown? The idea was that we were not to meet till next spring. There was no idea of a fall sitting, and is it not just as much a breach of faith for every member to have been summoned here on the 23rd of October, as it would have been to have been summoned for business on the 13th of August? We are here at a time when it was not expected, according to the programme, so the hon. gentleman's fixtures were all conceived on this one contingency, and that contingency not having happened, the Committee not having been able to do anything, we are here today, which, according to the hon. gentleman's view, is a breach of faith.

It seems to me that under these circumstances we have to consider this prorogation not by itself alone, but as a means to an end. (*Hear, hear.*) It did obviously accomplish one thing. On the 21st of July, the authorized announcement was made to members

that at the earliest moment this matter would be submitted to a tribunal competent to take evidence under oath. It also appears that while the Committee was in existence, and its existence was contemporaneous with the existence of that session of Parliament. Ministers themselves thought it not fit to interfere with the Committee, although it could do nothing by issuing a Commission the Commission being, as we may fairly assume, the tribunal which was in contemplation by them upon the 21st July, when the authorized announcement was made. You find so far back as this the design to withdraw from Parliament, and to bring before another tribunal this investigation. Now, it was perfectly obvious that the effect of prorogation would be to destroy the enquiry, to destroy the powers of the Committee, and that whatever had to be done would have to be recommenced. Under our Constitution, owing to a difference in its forms, similar results would not be arrived at in England, as has been frequently said on both sides. This charge was in substance an impeachment.

At this stage of the hon. gentleman's speech,

Hon. Mr. HOLTON suggested the adjournment it being half past two o'clock.

The House accordingly adjourned.

HOUSE OF COMMONS

Tuesday, November 4, 1873

The **SPEAKER** took the chair at 3 p.m.

Prayers

Mr. KIRKPATRICK presented the report of the Quebec Centre Committee, which had decided that the Hon. Mr. Cauchon was duly elected.

* * *

THE ADDRESS

Hon. Mr. BLAKE resumed the debate on the Address. He said that last night he pointed out that a great number of the topics introduced by the First Minister of the Crown were wholly irrelevant to the serious question engaging our attention. The House and the hon. gentleman know it is not my custom to shrink from a fair discussion of any public question at any time, or at any place, or before audiences from any of the Provinces whom the hon. gentleman seeks to array against me, and whose champion the hon. gentleman assumed to be last night. I am perfectly prepared to vindicate, and I believe satisfactorily to establish, the motives by which I was actuated in consenting to the policy which my friends have pursued on public questions to which he had referred.

But, Sir, it is not fit that we should interfere with this discussion by these considerations, and I feel myself at a loss in the discussion of the electoral campaign, because it is known I was not present at the campaign. I was surprised to learn the course the campaign took, according to the view of the hon. gentleman opposite. All I can say is that from the information I received, I am led to believe the First Minister's recollection is inaccurate as to the points agitated in the west, and I believe if anything was said in Nova Scotia, that it was an attack upon my hon. friend for giving that Province too much for her Provincial Building.

Now, the conduct of the Government in the past has no more to do with protecting them against this charge than their misdeeds, if they have been guilty of any, should have an ill effect. In establishing the charges against them, it is to be remembered that the charge is one of breach of high public trust. You must not forget that charges of this description can only be maintained against persons who have borne very good characters. It is against persons obtaining positions of trust, who having, as they allege, assuming their arguments to be correct, obtained through their policy a position which they might use improperly, they put forward their

previous good conduct in defence of their improprieties. The embezzlement by a confidential clerk, or the betrayal of a trust by a bribe, could not be condoned by previous good conduct. At criminal trials witnesses are called to test the good character of the criminal, but they are merely called to mitigate the sentence; but upon this question the verdict of this House is asked, guilty or not guilty of the charges, and of conduct which merits the severe censure of this House. Upon that issue good conduct was immaterial. It was material in one sense, because it involved a confession of guilt by appealing to these mitigating circumstances.

So far from the Opposition being actuated by any sectional feeling, as has been alleged against us in regard to our policy respecting the different Provinces, I believe it can be demonstrated that fair play on our part of this Dominion has been the groundwork of our policy in the past and will be the groundwork of our policy in the future. He is the true sectionalist who seeks to array Province against Province. Let it not be said that in this House any member, come from what Province he may, is not to be free to argue questions of public policy.

Now I return to those matters which are more or less touched by the matter before the House. In the first place, the hon. gentleman argued that the motion of the member for Shefford, was a motion of want of confidence. He did not think that was very material, but the proofs in this matter were threefold; first of all the hon. gentleman read a statement from the Ottawa correspondence of *The Globe*, and he announced that the great party, which my hon. friend leads, was irrevocably bound, because *The Globe* correspondent said, before it was known what the motion would be, that it was expected it would be a motion of want of confidence. That argument is so absurd that the mere statement of it is its sufficient answer.

Then the hon. gentleman turned to the member for Wentworth South (Mr. Rymal). My hon. friend did say his opinion was that the motion was intended as a motion of want of confidence. I did not so understand it, and I do not understand that my hon. friend set up his views as binding upon the whole party. Lastly, the hon. gentleman said the mode of making the motion indicated it to be a motion of want of confidence, namely, by amendment to a motion to go into Committee of Supply. That is not correct in point of Parliamentary law, and there are to be found two notable instances of the same, contradicting the hon. gentleman's theory, in which amendments to go into Committee of Supply were carried, and were not treated as motion of want of confidence.

Well, Sir, what were the reasons on the other hand? The nature of the motion itself is one which prevented it from being called properly a motion of want of confidence. A motion for enquiry is

not of necessity a motion of want of confidence. A charge is made; a charge of such gravity as to demand an investigation, and the proposal to have an investigation cannot be a proposal that there is no confidence in the Administration. I quite admit that the Administration can make it a motion of want of confidence, but the motion itself, as projected by the mover, cannot be considered one of want of confidence.

Then the attitude of the member for Shefford in making the motion, indicated it was not one of want of confidence. He made no speech; he made no attack upon the Ministry; he simply made his statement and the charge based upon it. Then the attitude of Ministers themselves stamps their argument out, because they themselves made a similar motion a few days later.

Next the hon. gentleman alleged that no pressure was put upon him to grant the Committee. Well, of course we accept unreservedly the statement of the hon. gentleman, but it is established by the evidence brought forward last night in this House, that several supporters of the Government considered the charges were a proper subject of investigation, and they informed the members of the Government that was the last vote they would receive from them unless the Committee was granted. By what intuition the hon. gentleman became possessed of this fact it boasts not to consider; suffice it to say that pressure was put upon the Government, and that the Government yielded to the pressure.

Then the hon. gentleman stated that he never dreamed that the Committee would proceed at once. I ask every candid man in this House, except the hon. gentleman, whether he ever dreamed of anything else, whether the whole tone of the discussion, the conduct of the various proceedings which ensued subsequent to the appointment of the Committee, did not all point conclusively to the commencing at once, and prolonging the labours of the Committee beyond the session only in case it should be found impossible to finish those labours during the session?

The hon. gentleman was bound, if he thought that this Committee would not meet to do business till after the return of these gentlemen, to have said at once that the Committee could do nothing until their return. He was bound to have taken the House into his confidence in this matter, and I venture to say it was a surprise and a shock to many of them when they found that before this charter was granted, while nothing had been done that could not be undone, the hon. gentleman had become acquainted with the villainy that had been perpetrated by the man whom he afterwards placed in the position of President of the Company. (*Loud cheers.*)

It was the duty of the hon. gentleman to have told the House, which he was swaying with an iron rod, whither he was leading

them, and that this Committee could not meet till these gentlemen returned. But I shall prove by facts beyond dispute that, whatever the hon. gentleman's secret intention was, his public and avowed plan of action was that the Committee should proceed. The hon. gentleman has told us that he knew the chances were infinitesimally small that these gentlemen would return during the session, and yet the hon. gentleman agreed to have the Oaths Bill pushed through the House, and he brought down His Excellency in the middle of the session to assent to that Bill. To what end did he do that unusual thing, if the Oaths Bill was not to be used immediately afterwards? (*Hear, hear.*) It is clear that, whatever may have been the hon. gentleman's secret thoughts, he was willing to lead this House to believe that immediate action on the part of the Committee was desired and intended by him. (*Hear, hear.*)

But when the Committee met, the hon. gentleman applied for an adjournment, which the Committee agreed to. That proposition was subjected to the House, and then for the first time he delivered a speech in vindication of his conduct in which he declared there was not one jot or tittle of proof of these charges. He made a speech, in which I am sure he led every man on both sides of this House to believe that either he must have been clearly and utterly false, or my hon. friend for Shefford (Hon. Mr. Huntington) must have been utterly mistaken in bringing forward this charge. No shadow of foundation for it; nothing whatever which could have led to the preferring of such charges. These were the declarations of innocence on the part of the hon. gentleman.

Under these circumstances, and by virtue of that denial (how candid it was, he having all the papers in his desk at the time, you may judge), he induced the House to postpone the Committee. The Committee was to meet on the 2nd of July. It so happened that I was not in the House during any of the discussions upon the subject of the Oaths Bill. I was present when the Committee was moved for, when the hon. gentleman made the statement that the evidence should be taken under oath, for he it was who first made the suggestion to take the evidence on oath. I thought it strange that he should ask that Committee to sit after prorogation without asking for a Bill to authorize that procedure, and I thought also that if he desired to take evidence on that, he should introduce a Bill for that purpose.

I have argued this question before, and I argue it to-day upon other and higher grounds than the question whether the Oaths Bill was *intra* or *extra vires*. That is of no consequence, because if we have not yet the power we can easily get that power, but the question of disallowance is one of the most serious questions that can be brought before this Parliament. The views of the First Minister upon this question of disallowance have been made public. On the 8th of June, 1868, in a memorandum submitted to His Excellency, the first Minister used these words:—"Of late years Her Majesty's Government has not as a general rule interfered with the legislation of the colonies, their representative institutions, and responsible Government, except in the cases specially mentioned in the instructions to the Governor as in matters of Imperial and not merely local interest."

That is the true rule, stated on the most modern terms, as to the exercise of the power of disallowance. No interference unless the instructions specially communicated to the Governor General required interference; therefore, I say that in the interests of Canada, the greatest self-governing community in dependence upon the British Crown, that one in which we see the *imperium in imperio* that one in which of all others we ought to preserve as far as possible, in the interests of the Empire and in the interests of the connection, those well settled lines as to the interference of the Empire in domestic matters in that dependency, we find this disallowance has taken place.

But can we blame the Imperial Government in the face of the facts which have been divulged by the papers brought down after the disallowance? No, Sir, we cannot, and why? Because the First Minister of this country, in the betrayal of his duty to this country, expressly invited the attention of Her Majesty's Government. (*Cheers.*) So far from suggesting, as he ought to have suggested, to His Excellency that the Act was one of domestic importance solely, and one which would not interfere at all with the Empire, the hon. gentlemen says this:—"The undersigned, to whom has been referred by your Excellency the Bill passed during the present session," and so on; concluding, "The undersigned has come to the conclusion, although not without doubt, that this Bill is not within the competency or jurisdiction of the Canadian Parliament, and that the attention of Her Majesty's Government should be called to its provisions and to the doubt that exists with respect to its validity."

The intimation of the hon. gentleman, promptly acted upon by the law officers of her Majesty's Government, was in direct contradiction of the principle laid down by himself, that Her Majesty's Government should not interfere in our domestic legislation, but leave us to settle our domestic troubles by our own machinery. In ignorance of this dispatch, I did not blame the Imperial Government for departing from what I stated to be a well settled rule, I am free to admit that the onus has been shifted, and now lies upon the shoulders of the First Minister of this country. (*Cheers.*)

I observe, Sir, that the proclamation issued on the first day of July was not accompanied by the certificate which it is provided by the Act, shall accompany it. (*Cheers.*) And I confess I did not suppose the hon. gentleman would have been guilty of the act which from these papers it now appears he has committed. I supposed it was by some slip that it happened. The election was urgent, there was haste in the matter, it was a public holiday, there were various things to be done, and I supposed that the certificate of Lord Kimberley, which is required to be appended to it, had merely been omitted; but by the papers brought down, it appears that the Act was not ripe for disallowance at the time; it appears the certificate was signed and sealed in England upon the first of July, the same day upon which the proclamation was issued in Canada making public the disallowance. (*Hear, hear, and cheers.*)

Now, Sir, the law is that "if the Queen in Council sees fit to disallow an Act, the certificate of the Colonial Secretary is sent to

the Governor General informing him of the fact, and until such certificate is received, the Act remains in force." But it now appears that the hon. gentleman caused the proclamation of disallowance to be issued illegally upon that day, in order to stop the proceedings of the Committee, and to carry out the scheme which this memorandum shows he contemplated from the commencement of procuring this disallowance. (*Cheers.*) Sir, upon a telegraphic communication to the effect that the act was disallowed, he ill-advised and misled His Excellency, causing him to commit a violation of the law, and officially proclaimed disallowance. (*Hear, hear.*) At that time His Excellency was physically incapable of performing the act of disallowance, because he had not yet received the certificate of the Secretary of State, which the law requires. (*Cheers.*) Under these circumstances it would have been fitting for the hon. gentleman not to have caused this proclamation to be brought out. It would have been well for him to have waited until the certificate, which the law requires, had arrived. The Committee could then have preceded with and probably finished their labours, because, till the legal proclamation of its disallowance it had as much force as an Order in Council.

The object of the hon. gentleman, however, was not thus to be accomplished. To meet these objections he thought it necessary that the disallowance should be proclaimed, and the proceedings of the Committee stayed. The hon. gentleman alleges that this disallowance was the act of the Lord Chancellor of England, as I think he urged in the argument he advanced to you. I make him a present of the proposition that the Act is *ultra vires* of the powers of this Parliament, and I leave to the hon. member for Cardwell (Hon. Mr. Cameron) who introduced the Bill in this House, to establish to the House as he established before, in spite of the exertions of his leader, that the Bill is not beyond our jurisdiction. I assume for the purpose of argument that the Bill was *ultra vires*, and have only the constitutional question to put, whether, the fact that it was *ultra vires* being established, it was fit that it should be disallowed. (*Hear, hear.*)

I am aware that the hon. gentleman is gazetted, although not yet sworn, a member of Her Majesty's Privy Council, and he probably knows more than I do, or perhaps than I ever can do, of what takes place in that Council, and perhaps he knows that the Lord Chancellor gives to every order of the Council his personal consideration and sanction. I am very much surprised to hear it, but I do not think that the hon. gentleman will here allege or contend that it is the Lord Chancellor's duty to consider the validity or legality of every Order in Council. In this case, as is quite apparent upon the face of the despatch, the Lord Chancellor was not at the Council when the Act was disallowed. Considering the circumstances, considering that it was presented and disposed of on the 26th, and the result telegraphed on the 27th of June, I have a notion that the Lord Chancellor heard of the matter for the first time when that little breeze blew from this to the other side of the water (*cheers*); but it is of no consequence.

I decline, in matters of consequence to the good government of this country alone, to be bound by the opinion of the Lord

Chancellor of England, or any other officers of that country. (*Hear, hear, and cheers.*) The question, whether, according to the well settled principles which regulate the conduct of Imperial authorities in matters relating to the internal economy of self-governing colonies, the act being *ultra vires*, our Minister acted worthily or unworthily in suggesting the course which was taken.

Sir, I do not propose to add anything to what I said last night upon the subject of prorogation, but I purpose to deal with the question of the Commission. The hon. gentleman has said that he does not think himself bound to argue upon that question, because we use some of the papers which have been laid before us in that connection. Sir, this might answer in a *nisi prius* court, but not in this High Court of Parliament. (*Cheers.*) Sir, papers submitted to this House, if they appear to be genuine, may be used as the foundations for judgment, although we dispute the process by which these papers saw the light. (*Hear, hear.*) Although we dispute the legality of the court in which these documents were evolved we can still judge upon the facts which they contain, and condemn, upon results of their own illegal tribunal, the men who have been guilty of the crime of constituting it, and the crime which the evidence taken before it discloses. (*Cheers.*)

Sir, the hon. gentleman has also given us a verbal account of some further opinions upon this subject, and it seems that the law officers of the Crown in England had admitted that His Excellency's course was legal and constitutional. It may be so. We have the hon. gentleman's word for it, but, Sir, we are not discussing the constitutionality of His Excellency's course. We are discussing the advice given to His Excellency, and notwithstanding the arguments used by the hon. gentleman it shows that that advice was unassailable. It was advice which, if permitted to become a precedent, would destroy at one fell blow every vestige of our liberties. (*Loud cheers.*) Sir, I repudiate the opinion that we have not the right to criticize, and criticize freely, the acts of the Minister who advises, for everything done by the head of the Executive is beyond the sphere of criticism. For the proposition that we have a right to criticise the acts of Ministers in advising the Crown men have fought and bled for this liberty before to-day. (*Cheers.*)

I have nothing to do, therefore, with the opinion of the law officers of the Crown, and if I had, Sir, I would say that, whatever respect I may have for the opinion of two eminent English lawyers who I do not suppose assume the role of infallibility when they become Attorney General and Solicitor General of England, finality is not to be attributed to that opinion (*loud cheers*), and still less respect their opinion upon this constitutional question, which goes much further and lies much deeper than any single legal question. (*Loud cheers.*)

We hear too much in this country of the opinion of the law officers of the Crown. It is a little too much, Sir, that at this day of our history we are to be governed by the determination of two gentlemen put down on paper two thousand miles away, before whose opinion we are to be blind in matters of which the decision affects us alone. It is perfectly absurd to say that a people we are

accustomed to believe have a system of self-government in domestic matters superior to that of any dependency of the British Crown, are to be bound down by the opinion of these gentlemen, however respectable they may be. (*Cheers.*)

When the hon. gentleman says he has always been right according to the opinion of the law officers of the Crown, he forgets one case out of the four or five controversies which have arisen—one case in which by the way, the Imperial interests were concerned, which was decided adversely to the opinion of the gentleman. I mean the misapplication of the Intercolonial Guarantee in which the law officers, in as strong terms as possible, stated that there had been erroneous misapplication, and in a severe dispatch ordered that it should not be continued. That decision was asked to be reconsidered, a despatch was sent home to that effect, and the law officers immediately declined to modify in the least degree their former opinion. (*Cheers.*)

The hon. gentleman does not now ask them to reconsider their opinion, for a good and obvious reason. The opinion is now held out to the people of this country as something that must be accepted without remonstrance. It may be that this arises from the same cause which actuates people when listening to speeches with which they agree, and those with which they do not agree. The observation has a much wider application, and as it is very obvious why we are inclined to think much better of the speech that agrees with our own opinion, it is probable that the great belief of the hon. gentleman in the opinion of the law officers of the Crown may be accounted for on much the same hypothesis. (*Hear, hear.*)

Well, Sir, in this Parliament we have got to decide this Constitutional question upon what we are able to ascertain; upon what our learning and reading tells what the rights of British subjects are, what the rights of the British Parliament are. (*Cheers.*) And I do not doubt the statement of the hon. gentleman as to the opinion of the law officers of the Crown will be absolutely disregarded in that particular. (*Loud cheers.*) What I say with reference to prorogation I say with reference to the Commission, that its appointment was a violation of the ancient landmarks of the Constitution and Rights of Parliament, and an invasion of the rights and privileges of the people by an exercise of the prorogation, which ought not to be tolerated. The hon. gentleman says there is no longer any danger from the exercise of the prerogative. The times of such danger are past. I say there is danger and the hon. gentleman's course has demonstrated the danger.

I will refer to the observations of another worker, eminent in the cause of liberty. Let me read you a few lines from the letters of Julius and you will see what he tells the people of that day. He says;—"Never suffer any violation of your political Constitution, however minute the instance may appear, to pass by without a determined persevering resistance. One precedent makes another; they soon assimilate and constitute law. What yesterday was a fact to-day is doctrine. Examples are supposed to justify the most dangerous measures, and where they do not suit exactly the effect is supplied by analogy." As these observations are applicable to the

case on hand, they teach us not to yield to the platitudes and propositions of the First Minister, and to regard our ancient rights jealously, and not part with one of them. The day may come when we may require them. (*Cheers.*)

The arguments of the Premier upon this—the prerogative and the rights of the Crown contrasted with the rights of Parliament—are, as are many of his arguments, entirely inconsistent. It is one of the weaknesses, if I may be pardoned in speaking of that astute person, that he is so impressed with the importance of arguing the points from every position, that even in the same speech he makes statements diametrically opposed to each other and inconsistent propositions.

In his speech last night they heard in his arguments with regard to the two branches of the Legislature inconsistent propositions. At one time he said there was no danger in the exercise of the prerogative, as it was really the property of the Ministers through the people; the next moment he said that which was quite different.

He told us, then, very strongly, that the Crown had its independent right; that as an independent branch of the Legislature, the Crown had a right to issue this Commission, and to send papers and despatches to the House for which they could find no one responsible. Let us steer an even course between these arguments, neither diminishing nor extending these prerogatives.

Then I maintain that no word the hon. gentleman has said was sufficient to justify that invasion of the rights of Parliament, which was created by the constitution of this Commission, based as it was on words spoken by my hon. friend in his place here, and for the investigation of the charges, it having to do, as it had, with high crimes and misdemeanours alleged against the Ministers of the Crown and members of this House, therefore it was the exclusive property of the people's House. What an instance of weakness that was, and what extremities was the hon. gentleman reduced to, when he was forced strenuously, earnestly—might I say theatrically?—to argue that he had communicated the charges of the hon. member for Shefford (Hon. Mr. Huntington) to the Crown, because he sent a Bill to the Senate to empower this House to examine witnesses under oath. That Bill did not say anything about these charges, it was a general law; but the hon. gentleman said he communicated these charges in order to induce him to do that futile thing which he knew was a futile thing—obtain his assent to the Bill in the middle of the session. I know of no authorization for him to inform His Excellency of what was passing in this Chamber. I say it was the height of audacity, and an insult to this Chamber, to tell us by word, act, or deed of the violation, infringement, or waiving of any one of the privileges belonging to us. The member, if he made it, made it on his own responsibility, and if he did he is guilty of a crime which will not fortify him, but weaken his position before the Chamber, before which he was on trial.

The hon. gentleman had utterly failed to produce a precedent for such a Commission as this. The hon. gentleman brought forward on a similar occasion the Ceylon Commission. That precedent,

however, no longer did duty. It has exploded, but he brings forward another. He took the case of the Madeira Commission, but he knew that precedent had no application, so in his defence he does not bring that forward as a precedent, but he falls upon a precedent in the Melville case, which was directly against him. This was a Parliamentary Commission, and not a Royal Commission, to enquire into a case with reference to the navy which had been prevalent for some time. He asked the House if that be the nearest precedent for this Royal Commission. Not sanctioned by the House, not asked for by the House, and disapproved by the House. The precedent was the clearest and strongest proof that British history furnished no authority on which the hon. gentleman acted.

He, however, says that the Crown, as the first branch of the Legislature, had a right to exercise the prerogative. He also said there was nothing particular in these charges to prevent the Senate from having a Committee to investigate them. Certainly not, if the Committee were founded on information which they might properly have, but there would be no authority for the Senate taking up the hon. gentleman's charge and founding a Committee upon it, nor was there any authority for the Crown taking up the hon. gentleman's charge.

Did the right hon. gentleman tell us, in the speech which he advised His Excellency to deliver on the 13th of August, he was advising the issue of a Commission to enquire into the charges? The Speech from the Throne stated that a Commission would be appointed to enquire into certain matters connected with the Pacific Railway. For all I know that Commission was perfectly legal; but when the Commission was issued, instead of being of that character, it recited the motion of the hon. member for Shefford (Hon. Mr. Huntington) and the order the House made upon that motion. The hon. gentleman ought to have presented to this House some better argument, some better reason for the advice he gave. Upon that occasion he tells you that there are statutes which justify it, but, my hon. friend from Durham West (Hon. Mr. Wood) has shown clearly that the statute merely provided for such Commissions certain powers.

What was the revolting scene depicted by the Minister last night? Going about the country asking one judge and another to become his judge in this great State trial. He would ask one judge to come, who would say "I cannot, but I recommend you to do so and so." The right hon. gentleman had caused a Commission to be issued, the men named by himself to try himself. He has made efforts to persuade us that the judges must be impartial, but such arguments as that ought to convince, and I hope every man with a sense of public duty is convinced, that that was one which cannot be sustained. (*Applause.*)

The hon. gentleman is not fond of ancient precedents, and asks us to abandon them altogether. He says with the new light we possess, we can safely abandon our old lamps that have guided the footsteps of our forefathers for so long a period. I profess to be a Conservative of the Constitution of the country, the principles of British labour, and the securities for popular rights. (*Hear, hear.*) I

do desire to guard these precedents, which ought to serve us for guides in the future (*Applause*).

Let me add an instance which serves to show the fallacy of the hon. gentleman's argument. He says, on one part, the prerogative was dangerous because it was used by the Crown. The most dangerous instances of the exercise of the prerogative we have known, which have conflicted with the interests of the people, have been abuses of the prerogative by Ministers. (*Hear, hear.*)

In the time of Charles the Duke of Buckingham was impeached, and that impeachment had gone a certain distance when a Select Committee, consisting of the most eminent men, was appointed to prepare articles of charge. Some of the articles had been prepared. The impeached Minister used in that Committee, as the hon. gentleman had used in this Committee, the prerogative of the Crown to stay the hand of the Commons. The impeached Minister induced the Sovereign hurriedly to prorogue the House and stay the hand of his accusers. Sir, what happened immediately afterwards? Two days later the Committee of the Commons, who had been appointed to prepare the charges, received a message from the law officer of the Crown, the Attorney General, requesting their attendance. They attended, and a request was made to them. Let me read you the answer these eminent men returned. "Whereas, this morning, when we attended upon a commandment from Her Majesty, signed by yourself, you gave us an intimation of a purpose of Her Majesty to have a proceeding in the Star Chamber against the Duke of Buckingham, of such matters as he stood charged with in Parliament, and to that end required to be instructed what proofs we had to maintain the several charges prepared from the Commons to the Lords against the said Duke, and according to your advice have considered thereof together and entreat you to take knowledge that whatsoever was done by us in that business was done by the command of the House of Commons, and by their direction some proofs were delivered to the Lords with the charges; but what other proofs the House would have used according to the liberty reserved to themselves, either for the maintenance of the charges of upon the reply, we neither know nor can we undertake to inform you. Elliott, Pym, Glanville, Selden and others."

Not satisfied with that, the impeached Minister advised the King to have Sir John Elliott taken before the Privy Council, where they endeavoured to extort answers with regard to the evidence. Sir John Elliott responded that what he had learned he learned only in the House for the service of that House, and not except for its service would he make use of that information. The proceedings in the Star Chamber went on and were entirely of a sham character, and sham results took place, and there was an end to the attempt made in those evil days by an impeached Minister to use the prerogative for the purpose of transferring from the House the accusation made against himself.

And yet the hon. gentleman says, notwithstanding the objection to its constitutionality, notwithstanding the absence of precedent, notwithstanding immensely greater objections, that the Commission moved for by the Minister himself, especially for the trial of himself, that this Commission is a legal one. The Commission is to

be tried by its works. I think these works will result in the verdict given when that question came up before us.

I think the hon. member for Cardwell (Hon. Mr. Cameron) during the last session pointed out the difficulties that would arise from a Commission being appointed. He expressed strong objections to it, as it would remove this matter out of the hands of the Commons, and a feeling of joy on learning that the right hon. gentleman had yielded to the general view. I think, Sir, these observations have been more than fortified by the result, and I expect to find that the hon. gentlemen will not withdraw from this position. I expect to find him maintaining the inexpediency of any such transfer as that which has taken place.

I maintain that there exists evidence to show that this Commission was eminently unsatisfactory. Questions were put by the Commissioners that ought not in many instances to have been put in the mode in which they were. A witness, for instance on being questioned respecting the payment of \$20,000, instead of sifting the witness to the bottom, the Commissioner said to him, "I suppose you signed it inadvertently," and the witness adopted the suggestion and adopted the means of escape which the Commissioner gave him. Although the newspapers gave this question and answer, the question is omitted in the report before Parliament, and it appears to be a voluntary expression of the witness.

Again, leading questions of a most objectionable character were permitted to be put, and amongst these I will give you one instance. One witness, a Mr. White, I think, after giving evidence relating to the large expenditure in Montreal on the part of the Opposition, had the question put to him:—"You were out-bought in fact?" and the answer was, "I cannot say I was, we were out-bought." That question was a most objectionable one, but the witness would not take the question, which he found was also omitted in the evidence place on the table of the House. These are samples from a large mass of improprieties which could be brought forward.

The opinion shared by all in this country, and, I am satisfied, entertained by the majority of this House, is that the disclosures of the Commission are such as call for the instant action of Parliament. The disclosures which were made were such as to require at the earliest moment possible that the question should be submitted, and the sense of the House taken upon it. In that spirit, in that view, was the motion of my friend from Lambton (Hon. Mr. Mackenzie) made, abandoning nothing, for it censures the course as well as the disclosures, not recognizing the legality of the Commission; yet we find the case so strong, so plain, that we would have been recreant to our duty if we had hesitated to place in your hands a motion upon which the sense of the House may be taken; and although the hon. gentleman rambled from one subject to another in his discourse, and touched upon topics wholly irrelevant, yet he failed altogether to touch what my hon. friend proposed to this House as the real root of this matter.

It had been known in this country before the late elections that bribery had assumed alarming proportions. It had been known that

it was on the increase. It had become a serious question with honest people in this country how long popular government could be maintained if corruption were further continued. The attention of those had been directed to it who are interested in the elevation of the people, in the purity of the people, and who desire to avoid that increasing demoralization which results from the sale of the franchise. Attention had also been directed to this subject in the old country, and means have been tested and found satisfactory for reducing to a minimum those evils.

The hon. gentleman, so far from being an optimist, has become an Oppositionist. He believes that this expenditure at elections always has existed and always will exist. He abandons in despair the hope of seeing a fair and pure election. Sir, I do not abandon that hope. (*Cheers.*) If I did, I would despair of the Republic. But the truth is the hon. gentleman's tactics were of the other description.

We had tried the effect of another law upon this matter. It had been tried under his eyes. He witnessed the effect of it in the Province of Ontario. I say—and I can speak with as much knowledge as any other man in this country upon this subject—I say that while the election in Ontario in 1867 was a corrupt one, the election in 1871 was the purest that had been known in the last 25 years (*cheers*); and I say that that enormous change was produced by a proper election law, and by a course being adopted which I have always recommended privately and in public, which, I believe is the only course upon which any party fairly ought to succeed, and I hope any course upon which any party will succeed, viz, that having a law which will enable you to punish bribery and corruption, you keep your own hands altogether clean, and expend whatever money you choose to expend for electioneering purposes, in searching, repressing, and punishing corrupt acts on the part of your opponents. Appeal to the courts, let your expenses be in the courts. Let the courts try the case, and if the election of your opponent has not been pure, he must suffer from the consequences of this corruption. That was the principle upon which the election of 1871 was carried, and that way the principle upon which the election of 1872 would have been run had the hon. gentleman permitted it.

But, Sir, although the hon. gentleman affirmed solemnly to this House that the Election Committees were a good tribunal, and though he induced this House so far to believe it as to leave that tribunal to be the only one for the trial of elections, yet the hon. gentleman in his evidence has told us—and I know of no case in which a public man has been so completely and unequivocally condemned out of his own mouth—he has told us in his evidence that corrupt and illegal expenditure, expenditure made unlawful by the laws for which he is chiefly responsible, had existed, and would continue to exist, because the tribunal itself was such as could not be expected to be effective. He said that the expenditure for hiring teams and for entertainments was illegal, and yet was universal. According to the hon. gentleman's reasoning, everybody did it, and he would not expect that five members, each of whom had treated

and hired teams, would judge the seat of another member void because he had treated and hired teams.

That was the character of the tribunal which the hon. gentleman imposed upon this country in the late elections. Upon page 119 of the evidence, where one of his colleagues was cross-examining him, the First Minister testified that he believed the practice of hiring teams and treating was universal, and that he had never known of any serious contest before the election Committee on the ground of such expenditure. The hon. gentleman tells us that he had 40 years' experience in elections, and he had found that tribunal so utterly ineffective, that the law upon the statute book which declared this system of hiring teams to be illegal, was a dead letter—was violated with impunity. And yet the hon. gentleman declined to change that law, and declared it to be a good law by refusing to us the trial by judges.

How does it, may I ask, lie in the hon. gentleman's mouth to say he was forced into a large expenditure, in these elections? (*Hear, hear.*) If there was a large expenditure, he forced it. He caused it by tried means—first by insisting upon retaining the law which he acknowledged to be utterly ineffective, and secondly, by bringing forward these funds from Allan, which, I suppose, were put with other funds I do not know anything about it. I was absent from the country at the time. I spent no money, and I was elected in spite of the opposition of the hon. gentleman; but if there was a large expenditure, he is the last man in this country—he who arranged at an early period for expenditure of that money—he is the last man to complain pitifully, and say, "I was forced into spending money at elections which I would not otherwise have done." (*Cheers.*)

Why, Sir, the hon. gentleman, at the commencement of last session was so impressed with the importance of keeping within the law—of not infringing in any way upon the jurisdiction of the Election Committee, that he would not permit this House to render justice to the people of West Peterborough, that he told the House they must not seat the man temporarily who had the majority of votes, but that the man who was told he had not the confidence of the people should sit and vote, because the only salvation of the House was to leave all these things to Election Committees. The hon. gentleman who then found such virtue in an Election Committee when it was to give him a vote or two, now proposes in his desperation to sweep away all Election Committees and make arrangements for a new Commission of three judges, who are to perambulate the land from Dan to Beersheba, searching out all the inequities that have taken place, and putting the seats of all the members of this House at the disposal of those gentlemen.

I have no objection to as many Commissions as the hon. gentleman pleases to ask for, but I very much doubt whether some highly respectable gentlemen on the other side are ardently desirous of such a Commission. (*Laughter.*) I extremely doubt whether many of these gentlemen feel grateful in their heart of hearts with the hon. gentleman for proposing such a scheme. Well, Sir, when he proposes it we shall discuss it. I have no objection to as many

Commissions as he pleases, but I want to have one that will do speedy justice. If this Commission is to perambulate the land, Parliament would be over before half the constituencies were dealt with. But of course the hon. gentleman will take the Ministerial candidates first.

But this proposal, which is thrown out as a bait to lead the House away from the topic, is simply another instance of the utter absence of consistency which the hon. gentleman exhibits in his arguments to this House. One moment the Election Committee is the palladium of our liberties; the next moment a Commission of three men, to be chosen by ballot.

The hon. gentleman has said that, being pressed by the enormous expenditure on the part of the Opposition, he was driven to do what he would gladly have avoided. Sir, I have pointed out that the hon. gentleman's scheme was concocted when he refused a pure law for trying elections. I proceed to point out that he knew that the consequences of that refusal were that he would spend money, and intended to spend money. Before he and Sir George-É. Cartier left Ottawa, as appears by his own evidence—before this frightful expenditure on the part of the Opposition had set in at all—before the writs were issued, the hon. gentleman was already preparing these and other means for influencing the people of this country. (*Cheers.*) On page 104 of the evidence, he says:—"When Sir George-É. Cartier and I parted in Ottawa, he to go to Montreal and I to go to Toronto, of course as leading members of the Government, we were anxious for the success of our Parliamentary supporters at the elections, and I said to Sir George-É. Cartier that the fiercest contest would be in Ontario, where we might expect to receive all the opposition the Ontario Government could give us and our friends at the polls. I said, "You must try and raise such funds as you can to help us, as we are going to have the chief battle there." I mentioned the names of a few friends to whom he might apply. Sir Hugh Allan among the rest, and that he was interested in all these enterprises which the Government were bringing forward."

At that early day he had seen that, to carry Ontario, he would want, more than his personal presence, more than his personal influence, more than the patronage of his Government, more than the arguments which in the open face of day a man may fairly address to his fellow countrymen—that he wanted Sir Hugh Allan's money. (*Cheers.*) By that early day he had pointed out to Sir George-É. Cartier the importance of getting at Sir Hugh Allan's money, and not his alone. We hear hon. gentlemen say, "What is \$45,000?" Does the Minister pretend that was all he got from all sources for the elections? He says he got some friends in the west and from various quarters to contribute monies to an amount which is not in the slightest degree indicated. That was only a portion of the election fund which was obtained by an abuse of the trusts and powers of the Government.

In addition to the political subscriptions of their friends at that time, the Minister confesses he thought of Sir Hugh Allan. He knew that Allan was interested in the enterprises which the Government

were forwarding, amongst others the Pacific Railway. Sir George went to Montreal and he found that instead of Sir Hugh in his present frame of mind being at all likely to "shell out" as he expressed it, he had established a combination and achieved a position which enabled him to ruin, and which he intended to use for the purpose of ruining, politically the Government of the day unless they would yield to his terms. (*Cheers.*)

This great contractor, this powerful man, had got himself into such a position that the confidence of a number of leading men would be given or withheld from the Government as he decided. At that moment he was exercising that influence in an unfriendly spirit; at that moment he was raising a spirit against the Government because they were not yielding to his views; at that moment he was exciting discontent and suspicion in the ranks of their supporters, and was making his power felt, as the evidence shows. This friend, as the hon. gentleman called him, was far from being a friend, but he was willing and honest enough to declare it—if the word can be used in connection with his name in any sense; he was willing to sell his influence and calm down the spirit he had raised, if he could only be secured in the object of his desires. (*Cheers.*)

I am not going to investigate the subtle question how far Sir Hugh Allan's letters are evidence in this case, but I think any man of common sense will agree with me that letters written at the time, with perfect frankness, upon the subject of the transactions going on, are, where they are not distinctly contradicted or explained away, the best evidence of what the facts were at the time the letters were written. (*Cheers.*) I quite admit that a hostile witness might be brought to such a point as to establish the falsehood of his letters, but if you want to establish the falsehood of any one proposition in the letters, you are bound not to treat Sir Hugh in the tender manner in which the Commissioners and the Government treated him. You are bound to make his state wherein his letters were false. With reference to every particular as to which you fail to obtain a distinct denial, you must take it for granted that the letter is true and cannot be denied. It is utterly impossible for gentlemen to say, because Sir Hugh Allan speaks of inaccuracies which apply to letters written in the confidence of private intercourse—as if he only told the truth in public and lied in private—it is utterly impossible with a general phrase of that kind, to answer the stern demand of justice upon the man who comes forward and insinuates these letters were falsehoods. That stern demand requires, however unpleasant it may be, that there must be an explicit denial.

These letters bear on them marks of truth; there are probably some inaccuracies in them, but they are not inaccuracies which affect their substantial proof; and as no one feels disposed to say a good word for Sir Hugh Allan, I will say I do not believe he was deceiving his partners in the gross manner stated by gentlemen opposite. Well, Sir George-É. Cartier found that Sir Hugh Allan held a great influence in his hands, sufficient without any money to involve the failure or success of the Government. This great influence is to be acquired—Sir Hugh Allan is to be conciliated, and the hon. gentleman endeavours to make an arrangement with

Mr. Macpherson. He says he met him in Kingston about the 26th of July, and he states that he told Sir George-É. Cartier that he might assure Sir Hugh Allan that the power of the Government will be exercised to secure the Presidency of the Company to him.

The hon. gentleman now says that the terms then proposed practically involved an amalgamation, but Sir Hugh Allan wanted something more. It was this, and this only, that in case an amalgamation should fail, the contract should be given to his Company. That was all the further point he wanted, whereas the position of leader of the Government was that there ought to be a new Company formed.

I need hardly tell you that the purposes of Sir Hugh Allan might be quite as well answered by the formation of a new Company as by an amalgamation. What he wanted was the control of the Company; and it would suit him just as well to control a new Company as the Canada Pacific Company; and provided he was secure in the control, his object was quite as well accomplished. But it would be inconvenient for the Government to give any positive pledge that the control should be given to that identical Company which had been set up as a Quebec Company as against an Ontario Company, therefore, in this particular, Sir Hugh Allan wanted more.

He got more, and here I come to the part in which I may fairly say the Commission has performed its work in a perfunctory manner. On the 30th of July Sir Hugh received two letters from Sir George-É. Cartier. In the longer letter it is expressly stated, "I enclose you copies of telegrams received from Hon. Sir John A. Macdonald, and with reference to their contents, I would say—" and et cetera. The House will observe there was more than one telegram received from Hon. Sir John A. Macdonald, bearing upon this subject, which were necessary to communicate to Sir Hugh Allan as part of the authority upon which action was being taken by Sir George-É. Cartier, and yet only one has been produced, nor is any question asked of the First Minister, of Sir Hugh Allan, or of Mr. Abbott, each of whom could have told us what these telegrams were.

What are we to conjecture? Are we to say, in the face of that palpable failure on the part of the Commissioners to do their duty—in the face of that plain, palpable failure on the part of the Ministers to make a full unreserved statement of everything, are we to say that the bottom of this matter has yet been reached, when the evidence is palpably and plainly one-sided?

Let me make one observation with reference to the pitiful attempt which was made to explain two words in the shorter letter. The words of the letter were "any amount which you or your Company shall advance shall be recouped." The pitiful attempt was made by Sir Hugh Allan in his evidence to suggest certain explanations, without being able to deny what the true meaning of the words "your Company" were. The Minister of Justice (Hon. Sir John A. Macdonald) who drew the original draft of that letter, who wrote the copy which was produced before the Commissioners, and the member for Argenteuil (Hon. Mr. Abbott), who is a sound lawyer

and knows the use of language and the meaning of every sentence and every word, were not asked a single question on this point. Can you doubt the reason? It was because they knew perfectly well and because they felt assured, that we would not be satisfied with this enquiry—with such child's play. But, Sir, the answer is demonstrated upon the face of the letters themselves.

These two letters were prepared at the same time by the same person, they had reference to the same transaction; a phrase is used in the one, and that identical phrase is used in the latter. (*Cheers.*) Nor is there any law of evidence better known to legal gentlemen nor better recognized by intelligent men, than that what contains the same phrase, used in different communications to different persons at the same time, with the same transaction, shows the same idea in the mind of the writer. In the letter of Sir George-É. Cartier to Sir Hugh Allan, of the 30th July, we find the words "Your Company," occur thus:—"Dear Sir Hugh, I enclose you copies of telegrams received from Hon. Sir John A. Macdonald, and with reference to their contents I would say that in my opinion the Governor in Council will approve of the amalgamation of your Company with the Interocceanic Company, under the name of the Canadian Pacific Railway." And then he goes on to speak of the constitution of the board, the powers of the Company, and so on.

Sir, in another letter written by Sir George on the same day, we find that identical phrase occurring, and that in reference to the money, thus:—"Dear Sir Hugh, the friends of the Government will expect to be assisted with funds in the coming elections, and any amount you or your Company shall advance for that purpose shall be recouped to you." (*Cheers.*) But of course the two Companies referred to in these two letters, written and signed at the same time, were not the same. (*Laughter.*)

I do not know what Company was meant. We are not told in the evidence what Company was meant, but it could not mean "that Company." (*Cheers and laughter.*) Why, Sir, if it were made to mean that, it would condemn the Ministry. (*Cheers.*) The whole evidence upon the subject of these two letters demonstrates that they were one transaction. (*Cheers.*) The conference took place between the member for Argenteuil (Hon. Mr. Abbott), Sir Hugh Allan, and Sir George-É. Cartier, by appointment. These very telegrams were produced. We are not told how they were produced; but they were produced, and they formed the subject of discussion. Sir Hugh Allan wanted something more definite, and Sir George-É. Cartier was willing to give him something more definite. The wily contractor understood that all this was done with the authority of the First Minister, and after discussing what the terms should be, he suggested their reduction to writing, and that the process of so reducing them should take place at a subsequent meeting, meantime that a draft should be taken, and the transaction afterwards completed.

Sir, at that first interview Sir George-É. Cartier brought up the subject of money to support the elections. Before he put his hand to the fatal bond, before he yet surrendered his liberty of action; while yet his Government and himself remained in the position in which

they could give even-handed justice with regard to the award of this contract; while yet an unfavourable answer might have crushed the hopes of the contractor, he said, "Don't you intend to help us in the elections?" (*Loud cheers.*)

Now, Sir, we have heard of Sir Hugh Allan's great influence, what a powerful man he was. How did he conjecture what was wanted? Did he say "Oh, yes, I will do everything I can for you. It is true. I have been exciting the country against you, but I will soothe all that down." Was that what he said? No, Sir, not that but something more. It was—"How much?" (*Laughter and great cheers.*) It appears from the evidence of Mr. Abbott—which, under the circumstances, I am disposed to accept, without withdrawing the compliments I have paid to Sir Hugh Allan—as the more creditable, that no sum was named; in fact, I suppose it was just to be as much as was necessary to corrupt the country sufficiently to enable the Government to fulfil their bargain.

According to Mr. Abbott's evidence all that was said about the sum was that it was to be put in writing, and Sir George said if Mr. Abbott threw out the paper it would be signed. Then those two gentlemen go up to their den of iniquity. (*Cheers.*) There both the letters are drafted, and having drafted them they return to Sir George-É. Cartier together. These letters are both presented at the same time to Sir George-É. Cartier. He reads them over, he makes some objection to the last page of the long letter. He changes the draft of the long one. Mr. Abbott writes it out for him and this, too, is signed. Both signed at the same time, and the bargain is struck, so far as those two gentlemen can strike it; and yet men of common sense are heard to say that this was not one transaction—that there was one bargain for the Pacific Railway, and that the political subscription was another thing altogether. (*Cheers.*) Sir, I shall not insult the intelligence of this House by arguing upon this point. (*Cheers.*) Every man ought to put it to himself to consider it with reference to his own private business relations. Every man ought to put himself—if a man should be asked so far to degrade himself—in Sir Hugh Allan's place, and fancy what he must have thought—whether he would not have thought that they formed part of one bargain. (*Hear, hear and cheers.*)

I will not waste time upon meeting the technicalities which I have heard raised upon this point, but I will simply point out that the law would regard these two matters as portions of one transaction. There would be no controversy in the courts that it was a bargain, and a bargain by which the assurances were given on the one hand and the money was to be given on the other. (*Loud cheering.*) Supposing that there had been no letter, would that have prevented the bargain from being carried out? Will hon. gentlemen argue that a contract unwritten was not a contract? Sir, it would be perfectly preposterous. (*Cheers.*)

The hon. gentleman, however, alleges that he repudiated that contract, and that the letter of the 30th of July was withdrawn. I deny it, Sir, and I undertake to prove, to the satisfaction of every man whose mind is not closed to argument, that it is utterly untrue. (*Cheers.*)

Before I pass to the telegrams which passed upon this subject, let me call your serious attention to the fact that we have but the oral statements of gentlemen as to the terms of the telegram of Hon. Sir John A. Macdonald, which gave rise to these two telegrams which I am about to refer to; and, Sir, I maintain that no proper exertions were made, no proper questions were asked, in order to elicit the truth as to that telegram. I maintain that, if it was of importance to this enquiry at all—and I do not think it was—they ought to have gone much further than they did. (*Hear, hear.*) Who can doubt that Sir Hugh Allan had a copy of that telegram? He speaks of it in his evidence, he refers to it but he never was asked for it. (*Hear, hear.*) Who can doubt that Mr. Abbott knew about it; who can doubt that it was among Sir George-É. Cartier's private papers and although the custodian of these papers was well known, he is never called upon nor brought forward; and all that we know about that telegram from the evidence is what the witnesses supposed it to have been, without a single endeavour to have it proved.

But if we have not the telegram we have the answer. Let us, Sir, take that answer of Sir Hugh Allan's. "I have seen Sir George-É. Cartier today; you may return my letter or regard it as waste paper. It was not intended as anything official." But, Sir, the letter referred to in this despatch is the letter of Sir Hugh Allan to Hon. Sir John A. Macdonald, not the letter of Sir George-É. Cartier. (*Cheers.*) But what does Sir Hugh say further in his telegram to Sir John:—"Your telegram to Sir George-É. Cartier is the basis of the agreement, which I have no doubt you will approve of." (*Cheers.*) Why, this forms an agreement. What agreement? What agreement, Sir, but the letter of the 30th July. (*Loud cheers.*) But why this form? What was its purpose? Sir, for a purpose we well understand; for the purpose of being able to say that the First Minister had never sanctioned any such agreement. (*Loud cheers.*) Sir Hugh Allan withdraws his own letter, and says it was not intended as anything official, but he sticks to the agreement, and says—"Your telegram is the basis of our agreement." Let me turn to the telegram of Sir George-É. Cartier to Hon. Sir John Macdonald of the 31st of July, and see what it says:—"Have seen Sir Hugh. He withdraws his letter written you since you make objection to it, and relies for the basis of arrangement on your telegram to me, of which I gave him a copy." Does this telegram say that the letter to Sir George Cartier was withdrawn? Sir, there was nothing withdrawn, and the First Minister knew it. (*Loud cheers.*) Sir, he knew it, because it was not proposed to be withdrawn. On the other hand, he knew that the agreement was confirmed, for Sir Hugh Allan expressly said in his despatch, "Your telegram to Sir George is the basis of our agreement." (*Cheers.*)

Let me now turn to the letters of Sir Hugh Allan on the 6th and 7th of August, on pages 207 and 208 of the evidence, in which, with various other details, he states that an agreement was entered into yesterday. Sir, that letter is true, if that agreement with Sir George-É. Cartier had not been withdrawn; but it is false, utterly false, if the letter had been withdrawn. (*Cheers.*) Therefore the written evidence of Sir Hugh at the time corroborates the proposition that the letter of Sir George-É. Cartier was not withdrawn. (*Cheers.*) But, Sir, I have more evidence yet. On the 9th of August Sir Hugh Allan attended a

public meeting; these terms, as it would appear, having been already arranged; and I must say that everything points to something having been said, done, and talked over between the 30th of July and the 6th of August, which we have not yet heard of, because on the 6th and 7th of August the letters of Sir Hugh speak of an agreement yesterday, and on the 9th you find Sir Hugh speaking at a public meeting.

Had the arguments of Ministers, and the effect of their great policy, prevailed upon him? Did he, from motives of patriotism, think it was his duty to rise up and support the party who had done so much for the country? Was he swayed by the arguments of the First Minister with reference to Nova Scotia and Manitoba, and the other Provinces which he had brought into the Union; or did he come out and speak because he had learned of the earnest and patriotic desire of the Ministers to uphold British connection, which is their only object in holding their places? (*Laughter and cheers.*) Had these virtues, as sometimes happens with an old man, as sometimes happens with a man of such deep-seated convictions as Sir Hugh Allan, persuaded him of the error of his ways, and caused him to come out and support Sir George-É. Cartier, whom he had but a few days before bitterly, so effectively, opposed.

Let me read you his words on the hustings, at Montreal on the 9th August, at Sir George Cartier's nomination, as he was reported in one of the Montreal papers. "You are aware," he says, "that two rival Companies have been contending for the contract to build the Pacific Railroad. The policy of the Government is to have these two Companies amalgamated, and then to give the contract to the Company thus formed." Sir, you observe that in the meantime it was stated that there would probably be an amalgamation, and at any rate it was better to leave to the Company the consideration of what was to be done after amalgamation had taken place.

He goes on to say, "The terminus to be at or near Nipissing, and arrangements are in progress for the construction of a branch from there to Hull, where it will join the Northern Colonization Railway, thus virtually bringing the terminus of the Pacific Railroad to the east end of the city of Montreal. Measures to secure this amalgamation are already in progress. Your representative, Sir George-É. Cartier, coincides with me on all these points, and in the basis of arrangement, which he has agreed to, and commends to his *confrères* in the country. On the Pacific Railroad question they have been carefully kept in view." Sir, this is a public declaration, and alongside of Sir George-É. Cartier by Sir Hugh Allan, who it appears had undergone a change of feeling, so far as Sir George was concerned; that the basis of an arrangement had been arrived at between them, which the latter had agreed to, and commended to his *confrères*. But he says still further—of course you know that it is only the basis of an arrangement that has been arrived at—"but I am satisfied that if the views expressed by Sir George-É. Cartier are adopted by the Government, as from their reasonable nature there is every reason to expect they will, the interests of this city and Lower Canada will be secured, while, at the same time, every consideration is given to all the other Provinces in the Dominion. I think no time should be lost in getting the contract prepared, and

signed as soon as the Government can meet. I have every reason to be satisfied with what Sir George has done, and I believe the results will be approved by all.

A speaker at one of the political meetings in this city last week, ventured to insinuate that in my negotiations with your representative, I was contending for the interests of the lines of steamship with which I am connected, as much as for the railroad. This statement is entirely void of truth. (*Opposition cheers.*) I assure you, gentlemen, that the subject of steamship or mail contract never was alluded to in any of these discussions, directly or indirectly, and I appeal to Sir George-É. Cartier himself to confirm the statement I now make—that I have made no attempt in any way to connect the Steamship Company or its vessels with the subject discussed. The railroad, and that alone, has been under consideration." (*Cheers.*)

I am afraid, Sir, I am obliged to retract some of the observations I made with reference to the questions of high public policy which induced the conversion of Sir Hugh Allan. I am afraid I recollected it incorrectly, and I am afraid that at the time my friend Sir Hugh Allan was not animated by those considerations, but by the consideration, how am I to get the contract of the Pacific Railway, or the Presidency of the Pacific Railway Company. (*Cheers.*) But as it was he got nothing. (*Hear, hear.*)

Was the Presidency as nothing? Was the basis of agreement as nothing? (*Hear, hear.*) Let us look at that. What did the contending party think of it; what did Mr. Macpherson think of it? Did he think it was nothing; that it was all the same whether he was at one end of the thirteen gentlemen or the other? Did he think that the President would have no more influence, no more weight than his personal position would give him at the Board, and that if not President Sir Hugh Allan would exercise the same influence? He thought nothing of the kind; everything shows that the question of the Presidency was the vital question. (*Hear, hear.*) It was what Sir Hugh Allan wanted; it was what Mr. Macpherson did not want him to get, and what he was determined he should not have. (*Cheers.*) Was it anything or was it nothing? What was Sir Hugh Allan doing before he got that offer? What did he agree to do in consideration of that offer? (*Cheers.*) And what has he done on account of that offer? (*Cheers.*)

Sir, as I have said, it was in consideration of that offer, and not until he came to an arrangement with the Government by which he was assured of that offer, that he turned round and supported them, and furnished them with a large sum of money to corrupt the electors of this country. (*Cheers.*) And yet hon. gentlemen will have us believe that it was nothing at all. It is enough for us to know that Sir Hugh Allan and the Government thought it was something; that it was held out to him; that he got his terms, and gave his price. (*Cheers.*)

Look at the contract; what was his bargain? It was one which was of importance sufficient to induce him to vote an expenditure of extraordinary sums of money. But does he intend to pay that money

himself? No, Sir; he makes a contract with the Americans; they arrange to take ten millions of stock, and that they should pay ten per cent of the whole stock, which would go to Sir Hugh Allan's credit, the profits of the enterprise to be applied to recovering this expenditure, and then in the end he would be saved from the expenditure of a single dollar of this amount. The Company has paid \$40,000 for preliminary expenses. The hon. gentleman said the preliminary expenses in starting any company exceed \$40,000.

Sir, that may be; the hon. gentleman has had more experience in that direction than I have; but you, Mr. Speaker know it only takes \$100 to pay the legal expenses of getting a Bill through this House. But perhaps the idea of the hon. gentleman is, that preliminary expenses in all cases include not only the expense of legislation in this House, but the subsidizing of newspapers and individuals. If that is his idea I congratulate him upon it.

But besides those preliminary expenses, Sir Hugh Allan was prepared with ammunition which he would not waste upon inferior Ministers—such as some of those I now see before me. (*Laughter.*) Look, Sir, at his letters to the Americans, letters which the hon. gentleman pronounces to be infamous. In one of these he says “I have had letters from England offering to take the whole thing up, but it looks to me to be too good to part with readily,” but he is willing to give the contract to Americans, with whom he thinks he can do better than sell it to England. The evidence establishes that on the part of Sir Hugh Allan this was merely a mercantile transaction, a gigantic scheme by which he might make a great deal of money, and some reputation. I do not think he has lost much money, but I am afraid his reputation has suffered.

Now, Sir, the hon. gentleman has said he was responsible for the action of his colleague, Sir George-É. Cartier. I rejoice to hear that the right hon. gentleman takes the responsibility on his own shoulders, because the announcement made at an early period, on the 21st July, was rather a contradiction of that view, or entirely a contradiction of it; to thrust the odium on Sir George-É. Cartier was a most unjust and most injurious, if not a most unconstitutional proceeding. How was the money obtained by which the hon. gentleman retained the position he now occupies? How was the money obtained which got him the number in Ontario and Quebec on whom he has depended? It was obtained by Sir George-É. Cartier, at the hon. gentlemen's own instigation. The hon. gentleman then referred to Sir John's telegram on the 26th of July to Sir George, and continued as follows:—Sir John took the money gotten by virtue of that contract. The hon. gentleman says this telegram was despatched on the 26th, before there was any talk of money. No, Sir, the conversation in Ottawa was long before that telegram was despatched. The hon. gentleman says the Government are not bound by that, but they accept the responsibility of it. The hon. gentleman knew he had to assist in pulling Sir George straight with Sir Hugh before money was to be got. He knew Sir George and Sir Hugh were at arm's length and that to obtain Sir Hugh's assistance they would have to be brought arm in arm, and when this was done he got the money which could only be got by coupling these two gentlemen. Then he says, every telegram was entirely

unconnected with the question of money. Some people say this money was given as a subscription.

I have pointed out the word “recoup” as a proof that this is not the case. It was perfectly plain that that document was so framed because Sir Hugh wanted these men to be under an obligation to him, and wanted to make them his bondslaves, and wanted to put them in the position in which he could say, “Gentlemen, one hundred thousand dollars, if you please. I advanced you the money, and you promised to recoup me. Of course there was an understanding that if I got the Company I should cancel it, but I did not get the Company, and I insist upon you paying it.” He did not expect to get the money, but he knew he would get a consideration for it, in the shape of the contract.

To say that these words are of no account was absurd, as it was a part of the plan to get the Government in his power, and, in order that there might be no misunderstanding afterwards as to the price they were to get for what they were giving, if the arrangement was faithfully carried out.

It being six o'clock, the House rose for recess.

AFTER RECESS

Hon. Mr. BLAKE: I was pointing out that circumstances demonstrated that the object of Sir Hugh Allan in the transactions which took place was to secure the contract, and that it was thoroughly understood that he was secure in return for what he was doing for the Government.

I also pointed out that it was sufficiently apparent that the colleague of the First Minister was acting by the instigation of the First Minister himself. In the first place, to refer to the passages in the evidence of the First Minister, which are to be found in the 116th and 119th page of the Commissioners' report. The question—“Had you any reason for mentioning Sir Hugh Allan's name beyond that which actuated you in mentioning the names of the other gentlemen? Answer—Yes, I had. I thought Sir Hugh Allan was especially interested in getting a railway Parliament returned, and that he was interested in sustaining the Government which would carry out the railway policy which they had inaugurated.”

Then the hon. gentleman proceeds to point out the personal interest Sir Hugh Allan had in the result of the elections, but the speech which I read to you shows it was not a personal interest other than the getting of the Pacific Railway charter that moved Sir Hugh. Then on page 119 Sir John said, “I have no doubt Sir Hugh gave these subscriptions for the one object of sustaining the Government and their railway policy in connection with the Pacific Railway, he being assured that that policy would be sustained with the influence and power of the Government if it remained a Government.”

It was in order to secure the material advantages which would result from the obtaining of the charter that this subscription, so

called, was given, although, as he had before stated, he believed the term subscription was entirely inapplicable to the transaction. He had heard it argued that no harm was done, because nothing was given from which the material interests of the country had suffered.

Can you suppose that Sir Hugh would give this large sum of money unless he was to get some advantage at the expense of the Government? Could it be treated as a subscription if his views were thwarted and his desires not carried out? That argument was entirely fallacious. It may add to the infamy of the transaction if they cheated their confederate. Men in high judicial positions have been impeached and driven from power for actions less corrupt.

One of my hon. friends made allusion to the case of Lord Chancellor Bacon, and I think it sufficiently appropriate at this branch of the argument, to point out that the argument of the hon. gentleman opposite would have entirely relieved Lord Chancellor Bacon from the slightest imputation or blame. The hon. gentleman then read the petition on which the impeachments were founded, and said the Lords in that case pronounced the transaction to be an act of bribery. Then there was the Egerton case, in which a gratuity of 400 pounds was presented under the colour that when Attorney General he had befriended the briber. In this case the Lord Chancellor decided against the petitioner. Upon the petitions it was determined by the Commons, witnesses being examined, that an impeachment should be laid against the Chancellor. Again, there was the Macclesfield case, which was the case of another Chancellor who was charged with selling the Mastership in Chancery. He said he only received presents from the officers on whom the offices were conferred. This case was also decided against the bribed Chancellor.

So in this case it is said "We do not take bribes, but we take presents from men to whom we give contracts." Was the money received by the Administration? A present it was, asked for, haggled for, stipulated for, humbled for, begged for, in every shape. We remember the telegram which has become notorious throughout the land, which says "I must have another \$10,000; don't fail me; last time of asking." (*Hear, hear, and applause.*)

Why, Sir, it is preposterous to attempt to abuse the intelligence of any ordinary man with such an argument. The argument of Lord Macclesfield's counsel was that they were presents only. It was an argument that failed in that day, and it is an argument that will fail in this day. These gentlemen were trustees for the public, and had the power of bestowing this great contract. They insisted on detaining from Parliament these enormous, extraordinary, and unprecedented powers, which were in proportion to the magnitude and gigantic character of the trust and responsibility which they took upon their own shoulders.

Did it not become necessary that they should act with the most jealous regard of the public interest, and to the most jealous exclusion of all private interest which might disable them from forming a fair and unprejudiced determination in the public interest? What would be said of a private trustee having for sale the estate of which he was trustee, and standing for a constituency, who

should say to the intending purchasers who were completing for the lot, "will sell it to you upon such terms as we agree upon. I am standing for the county, and I want you to give me 500 pounds to enable me to stand for that constituency." This would be giving one competitor an advantage over the other competitors.

One of the principles of jurisprudence was that you may not place yourself in a position in which your interest will conflict with your duty. What was done by the Ministers? I will put it that Sir Hugh was simply a competitor with others for the control of this great enterprise. It being such, the Government asked him for, and he, at their instance, gave them enormous sums of money to be recouped. After the elections, then, I say they placed themselves in a position in which no man can justify their having placed themselves. Had the money been obtained for legitimate purposes, for the lawful expenses of candidates at elections, then they would not have been relieved of the great difficulty to which I have referred. The Government could not provide funds for a lawful source, but no man can pretend that these were legitimate expenses.

The evidence of the first Minister, which I have read, demonstrates for what purposes the money was expended. He has told us that the chief expenses are team hire and treating, both illegitimate. It is true, he said in his speech last night, "I did not use money so as to endanger any man's seat." No one expected the hon. gentleman himself would go round to the polling places offering bribes to the voters. I am told some of his colleagues had something to do with the details of this expenditure, and the application was stated to be an honest and upright application. I suppose they won't object to say, how they applied it.

The real question is, whether the money has been given or promised to any Government candidate in Ontario, by or from the Government. The hon. gentleman, on the hustings at St. Mary, in August of 1872, stated that not a farthing had been given or promised to carry on the contest. That hon. gentleman had then received \$35,000, and a few days after he telegraphed for another \$10,000. The hon. gentleman had said that he was driven into a corner in Ontario, that he had the powerful influence of the Government of Ontario against him and that he had the corrupt acts performed by the Government against him.

Sir, as I have before stated publicly, the hon. gentleman made that charge during the election, and announced that steps would be taken on the meeting of this House to establish the truth of the charge. When we met here the hon. gentleman did not vindicate that statement. He never uttered a word about it, nor took any steps whatever to show that he himself had entertained the slightest confidence in the truth of the charge; but now, attacked himself, now brought to bay; now awaiting judgment in this House, he repeats this stale accusation for which he has never furnished one scrap of proof, and urges it as a reason why his iniquities should be condoned.

The hon. gentleman adverted to the sale of timber limits as an instance of the means of corruption used, and that was the only instance he brought forward. I, who am familiar with the

administration of public affairs in the Province of Ontario, know that, for a period antecedent to the general election, the system of the sale of timber licenses was one which altogether forbade its being used as an instrument of corruption, for the sale of these licenses was well known to be by auction to the highest bidder. There was no alienation except on these terms, and the statement is so unwarranted that its recklessness will be patent to every person acquainted with the affairs of the Province.

But if it were true that the hon. gentleman had used corrupt means to defeat hon. gentlemen; if it were true that the Opposition candidates in Ontario used corrupt means to defeat him, I do trust and hope that this House will not so far degrade itself, will not so far fall below its high duty, as to aver that the offenses of others was an excuse for the omission of this great crime. (*Cheers.*)

Sir, his business was to fight the battle by fair means. He had his candidates presumably as wealthy as those of the Opposition; he had his private and personal friends presumably as numerous as those of the Opposition; he had the legitimate influence and patronage of the Government, the effect of which he has told this House, when he has more than once talked of the enormous influence and patronage of a Local Government, and if the Government can add to all these enormous advantages, which belong to it over the other side, the price of public contracts, then we may as well at once give up what will have become the farce of representative Government. It would be more economical to give the gentlemen in power a perpetual lease of it than to go through the ceremony of recording votes which have been purchased.

The hon. gentlemen has said that this is to be vindicated by reference to transactions which have taken place in England. I wonder what they will say in England when they hear the defence of the hon. gentleman. The hon. gentleman has told us that because in former times, when the country was just emerging to a certain extent at any rate from corrupt influences from the old borough mongering times, when able men—pure, wise, honest, and honourable men, according to the standard of public morality which at that time prevailed, thought it not indecent to buy a borough, the hon. gentleman, referring to these times, he told us that because a Secretary of the Treasury received subscriptions from political friends—not, Sir, from public contractors, (*hear, hear*),—not as a condition of public benefits to be handed over to individuals, he compares a Secretary of the Treasury to the First Minister of England; and because a Secretary of the Treasury received some subscriptions from political friends to help in the elections, he says the First Minister of England would have received the price of a contract from a public contractor. There is no comparison between the two cases, nor am I disposed to compare the state of public morality of that day with the state of public morality at this day.

I rather look to the wholesome doctrine enunciated in the Churchward case, nor can many of the gentlemen opposite, who may yet propose to defend this act, resist the proposition that if this contract had not been relinquished they would have felt bound to vote for its cancellation. I believe a large majority would have felt driven to do that, and yet I defy those who would have voted for the

cancellation of the contract to show a ground upon which they would have so voted, which does not also form a ground for the condemnation of the Ministers who signed the contract. (*Cheers.*)

The hon. gentleman adverted to English transactions. If he has to advert to English opinion, let him look at the tone of the English House. I am not one of those who are disposed to bow down and worship English or other outside opinion, whether it be the opinion of law officers or newspapers, but no man can deny that upon given facts the great bulk of the press of a country will give you fair indications of what the average nation is to the political morality or to a particular transaction in that country.

There can be no doubt whatever that you can have no better test of how this transaction would be looked at in England, apart from party views altogether, or party views swaying the English press in favour of Ministers, than by looking at the tone of the press. Yet that tone is one of most universal reprobation. Abandoning all idea of the contract, looking merely at the relation between Ministers and Sir Hugh Allan, the tone is one of universal reprobation, and therefore we had a pretty good guide as to what English opinion is; and since the hon. gentleman is pleased to refer to English transactions as his justification, I point him to English opinion.

All these transactions were done, the hon. gentleman tells us, for what purpose? For that purpose for which his Government has maintained itself in power—to preserve the connection between the mother country and Canada—necessitated and united these Acts.

On what is the connection based? It is based on mutual affection, which cannot exist without mutual respect. (*Hear, hear.*) So soon as we find ourselves confessing that we belong to a lower scale in the rank of nations; so soon as we find ourselves publicly acknowledging that a different code of political morality must exist here from that which exists in England; so long as we pronounce ourselves unable to be measured by the same standard of political purity which is there administered, I say, Sir, the moment that we shall make that confession, if unhappily for our country we should be determined to make it, that moment one of the greatest ties for the connection is destroyed. (*Cheers.*) That moment we are not politically upon an equal footing with those of our fellow subjects who inhabit the British Isles.

They have the control of an insignificant portion of our affairs; if you are to add to the political inferiority a personal inferiority, and if you are yourselves to mark that personal inferiority; if you are to tell us that that may be done in Canada which would make our heads hang down with shame in England; then I would like to know upon what basis we can hope for a connection which rests upon mutual affection long subsisting? If we become objects of contempt, we shall soon be cast away; if we lose our self-respect and the respect of England, how can we hope to attain that which the hon. gentlemen opposite do not seek to aspire to, but which I confess I do aspire—is the possession of the full measure of a Briton? How can we claim that if we endorse the action of the gentleman opposite? How can we, with those doctrines of Government, with those notions of political morality—how can we

ask England to admit us to the full share of Briton's rights, to give us some share in the control of her foreign affairs along with herself? We dare not do it, we cannot do it, we are under a ban unless we purge ourselves. (*Loud cheers.*)

Sir, if the hon. gentleman wants to preserve the connection, he will resign his office; if this House wants to preserve the connection it will turn him out of office, and will tell him we are in Canada governed by those same principles of political morality which govern the English people.

Mr. Speaker, I know too well the influence by which the election was carried so far as it has been carried. I know also what influences prevail to a large extent in this House. I am not prepared to go the length that the Minister of Customs did with reference to his own supporters, but it cannot be denied that his House is, to a certain extent, a purchased House. Gentlemen opposite have said that every one of their supporters is branded with Sir Hugh Allan's mark. The Minister of Customs told us that the amount given by Sir Hugh Allan amounted to a trifle divided among eighty constituencies. He told every man behind him who was returned for Ontario that he had tasted of the accursed thing, that he had partaken of this money in securing his election. We all know that a great many of the constituencies were carried by acclamation, and in others the contest was merely nominal. By these we may reduce the area over which Sir Hugh's dollars and other funds were distributed, but, all said and done, there is no doubt a considerable element of truth in the statement of the hon. gentleman. (*Cheers.*) I am not disposed to quarrel with it; I am disposed to let him and his followers settle that between themselves.

All I can say, as I am not prepared to agree with the wholesale accusation he made, I am prepared to believe there are some of the supporters of the Government who did not receive any of this money, but there must have been several who did, and I can understand the answer that a Ministry may give to those of their partisans to whom they have advanced money, and who may now be saying this is a very black business. We do not see how we can give this vote.

I can quite understand the answer to those gentlemen. They say, "What right have you to say so? You took the money, and now, forsooth, you are going to blame us who got it for you. You are equally responsible with ourselves." Some such conversation I can fancy has taken place, and some men, I am convinced, will vote upon this occasion, knowing that they received money from the Government, vote that the transaction which procured it for them was an honourable transaction. That was the unfortunate position with reference to both Ontario and Quebec. But for that money, I have not the slightest doubt the majority against the Government in this House would be much larger than it is to be on the motion of the member for Lambton (Hon. Mr. Mackenzie). (*Cheers.*) As it is, I believe, it will be sufficient for the occasion. (*Cheers.*)

Other influences, I am aware, are here being used. I would fain believe that their *ruse* will not be successful. I am loath to suppose that it should ever be said of a Canadian Parliament, what a poet of

the neighbouring Republic has said of the representative body of that country, when he described it thus:—

"Underneath yon dome, whose coping
Springs above them, vast and tall,
Grave men in the dust are groping
For the largest, mean and small,
Which the hand of power is scattering,
Crumbs that from the table fall.
Base of heart! They vilely barter
Honour's, wealth, for party place;
Step by step on Freedom's charter,
Leaving footprints of disgrace,
For the day's poor pittance,
Turning from the great hope of their race."

(*Cheers.*) I do not believe it. I do not believe that any such influences as we have reason to know have been used, and are being used, will be successful here. It is true we have men sitting here and voting here with the promise of office and preferment, in their pocket. We have men who vote here to-day who may, for all we know, be Governors tomorrow (*hear, hear*), or who may be officers in various departments tomorrow. We have men who may be so influenced, but I trust they will not be so influenced, for I say not in any spirit of rhetorical flourish, but as my sincere conviction of the truth, that the name of every man who shall vote against the proposition of my hon. friend from Lambton will be a marked name, a disgraced name. (*Loud cheers, and confusion and cries of "order."*) Hon. gentlemen seem moved by that remark. It would not be at all Parliamentary for me to say after the vote that the vote was a disgraceful vote unless I propose to rescind it, but it is perfectly legitimate for me, before the vote is taken, to express my opinion of the vote and of those who so vote.

Mr. ALMON: And we will take it for what it is worth.

Hon. Mr. BLAKE: And I venture to say, standing here as an humble member of this House, known not to have any aspirations for office, that the hon. gentleman will find before many hours are over that it is worth a good deal. (*Great cheering.*) I believe that this night or tomorrow night will be the end of 20 years of corruption. (*Government cheers.*) This night or tomorrow night will see the dawn of a brighter and better day in this administration of public affairs in the country. (*Continued cheering.*)

I am not concerned to answer—I disdain to answer the foul charges which the First Minister hurled against individual members on this side, and against this side as a whole. My best answer is by my utter abstinence from such charges against gentlemen opposite. I have endeavoured so far as I could to confine myself to fair

reasoning on the facts in this case, and to fair deductions from those facts. I have expressed plainly, as it was my bounden duty to do on this important occasion, my views of the political situation. I have said, and I repeat, that the battle is one between purity and corruption. (*Cheers.*)

I should never claim for myself and my friends that we are the embodiment of purity, and that all the gentlemen who sit opposite, and who under a mistaken notice of fidelity to a party leader, of fealty to a lost cause, are about to vote against us—are corrupt. Far from it; I cannot be so ungenerous; I cannot be so unjust; but I desire that those of us who are proffering these views tonight shall be judged by them for all time to come—(*cheers*)—that in whatever situation my hon. friends around me may be placed, the position we have taken, the attitude we have assumed, the ground upon which we stand, will be held as the only sound and true ground. We are here to set up once again the standard of public virtue. (*Cheers.*) We are to restore once again the fair face of the country which has been tarnished; we are here to brighten, if we may, that fame; we are here to purge this country of the great scandal and calamity which those who are entrusted with the conduct of its affairs have inflicted upon it.

I agree with the hon. gentleman, that with all the efforts we will still be left in a position far inferior in the eyes of the world to that which we held before these transactions took place. We cannot, even by the act of justice which we propose to perform; we cannot, even by the solemn judgment which we are about to render; we cannot, even by the purgation which we are about to effect, wipe away in other eyes and amongst other people altogether, the stain, the shame, and the disgrace which has fallen upon the land. (*Cheers.*)

I have no feelings of joy and congratulation at this result. I deeply deplore the truth of these facts; but I am one of those who believe that what is to be deplored is the existence of facts, and not the discovery of them. I don't understand that Spartan virtue which deems a theft no crime so long as it is undiscovered. I do not understand that morality which will permit a crime unseen, but is deeply shocked and alarmed for the credit of the country should the crime become known. I do not understand the morality of the Hon. Minister of Customs (Hon. Mr. Tupper) who told us that it was deeply to be regretted, while these things must be and would be, that they should be made known. Sir, you will not heal the festering sore by healing the skin above it. You must lance it and cleanse it, and get good healthy flesh to grow around it. Painful though that task may be, arduous though it is, I believe it is about to be accomplished. (*Cheers.*)

The night is far spent, the day is at hand. I trust and hope, when the vote is rendered, it will be rendered upon this occasion by every man amongst us with reference to those principles of public virtue which he would apply in his own transactions as the standard between himself and his neighbour. Let us not be carried away by the absurd notion that there is a distinction between the standards of public and private virtue; let us not be carried away by the notion

that that may be done in secret which it is a shame to be known in public; let our transactions be open, and as the shame exists, as it has been discovered, as it has been conclusively established, as it has been confessed, let us by our vote—regretfully, it may be—give the perpetrators of it their just reward. (*Great cheering.*)

Hon. Mr. CAMERON (Cardwell) began by complimenting the member for Bruce South (Hon. Mr. Blake) for his able speech. He claimed that that gentleman looked at the question with the eyes of an advocate. He adverted to the statement of Hon. Mr. Blake that the Speaker had also received intimation of the prorogation on the 13th of August, and said it was usual for the Crown to communicate to the House its intention to prorogue, both through the Premier and the Speaker. The argument used by the hon. member was not one he expected from him.

With reference to the prorogation, he said he heard the statement of the First Minister and understood it to be a formal notice that prorogation would take place on the 13th. With respect to the Oaths Bill, he had no hesitation in saying that he had not only not changed his mind, but his opinion was confirmed. He had carefully considered the matter, and he was fully satisfied that the view which Parliament took on that occasion was the correct view. (*Cheers.*) At the same time he held that the Minister of Justice (Hon. Sir John A. Macdonald) was not to blame in the action he had taken. He had the authority of the Governor General to state what took place with regard to this matter, to show the entire good faith and honesty of the First Minister. (*Cheers.*) The First Minister told him that he felt so strongly with reference to the Bill that unless he (Hon. Mr. Cameron) had argued in its favour he would have felt bound to oppose it in the House. He argued the case with the Premier. Still the Premier was not convinced, and he wished that he (Hon. Mr. Cameron) should, if the Governor General desire, see him and discuss that question as he had discussed it with the First Minister. The Governor General did express a wish to see him, and he had seen him and argued the question with him.

The SPEAKER reminded the hon. gentleman that it was not in order to use the name of the Governor General.

Hon. Mr. CAMERON (Cardwell) said he supposed he ought to speak of him as a higher authority. His opinion was acted upon, and the Bill received the Royal Assent. He desired as far as possible, that the House and country should know that, instead of there being the least wish on the part of the First Minister to keep back the Royal Assent from that measure in any way, he used every means in his power to enable the Royal Assent to be given. He was one of those who did not like to have our affairs ruled by two gentlemen of England.

He referred to a case of his own which had been decided by the law officers, but which decision in his appeal and on his argument the Judicial Committee had reversed; but whether the advice given by the law officers was correct or not, the very moment the English Cabinet declared the Bill was disallowed, we were bound to obey as long as the colonial connection existed. If the Act was *ultra vires*,

which he did not believe, it was of no effect, and no one could be prosecuted for perjury under it. He argued that the moment notice of disallowance reached this country the Government were bound to proclaim it.

With reference to the meeting of the Committee in Montreal and the proposal to go on with the enquiry without oath, he asked if it was not the intention of every member that the evidence should be taken on oath. If the majority had decided to go on without oath he would have ceased to be a member of the Committee.

He contended that the references by Hon. Mr. Blake to English cases did not apply, because those cases referred to personal corruption, and no one had charged the First Minister with personal corruption. He argued that it was the duty of the member for Shefford (Hon. Mr. Huntington) to go before the Commission and make good his case.

He reviewed the statement of Hon. Mr. Blake with reference to the evidence on the subject of the withdrawal of Sir George-É. Cartier's letter. He contended that it was Cartier's letter that was withdrawn, and not Allan's letter as stated by Hon. Mr. Blake. He read from the evidence of Hon. Sir John A. Macdonald, and declared it established that Cartier's letter was withdrawn. The telegram of Hon. Sir John A. Macdonald was the only arrangement made. He also read from Sir Hugh Allan's evidence in support of the same statement.

Adverting to Sir Hugh Allan's contract with the Americans, he said that Sir Hugh Allan was the only Canadian in the contract, while the charge stated that Sir Hugh Allan and other Canadians entered into the contract with the Americans. Every idea of having anything to do with the Americans was proved by evidence to have been broken off before October, 1871, and it was not till three months later that this contract between Sir Hugh Allan and the Americans was entered into. He argued that the Government had never agreed to give the contract to Sir Hugh Allan, and even Sir Hugh Allan's company had given it up.

Hon. gentlemen opposite were crowing over the opinions of the English press, but the end was not yet. The English press were gradually getting the cobwebs from their minds upon this and every other subject of Canadian interest. He contended that whatever might have been the expectations of Sir Hugh Allan, those expectations had not been fulfilled, and therefore the inference of corruption, even according to the Corrupt Practices Act of Ontario, would not be sufficient to prove the existence of corrupt intent.

He quoted a case in England where two candidates together contested a constituency which elected two representatives of Parliament, and were successful. The one was an influential, popular but poor man. The other, while rich, had no great influence. The rich man paid all the money into the election fund, and the steps were taken to unseat them on account of corrupt practices. The charge was made that the rich man purchased the influence of the poor man with his money subscription, but the rich man swore

that this was not the case, and the two gentlemen were therefore declared duly elected.

He contended that Sir Hugh Allan and his children would have been dead before any advantage could have arisen from the Pacific Railway. He confessed that he had himself spent money on the elections, but if he had fire to fight he fought it with fire. He pointed to various elections under the new law in England, and to the elections for the Local House in Ontario, to show that judges made out a scale of expenses, which might be properly made at elections, and to the large amounts which had been declared legitimate, to show that the expenditure of money was a thing not only common, but acknowledged as necessary at elections; and he charged against the gentlemen of the Opposition that while they made greater pretensions to purity, they were themselves most lavish and unscrupulous.

He read from the speech of Lord Derby, to which the Premier referred last night, in proof of the assertion that the sum contributed by Sir Hugh Allan was but a mere drop in the bucket compared with individual subscriptions in England. Having proved that there was no corrupt or venal intention on the part of the Government, he would ask this House if they were going to condemn the Minister for doing what every party did alike. Surely not.

He contended that the House had a right to expect from the hon. member for Shefford that he should give to the House and the country the source of the information upon which he founded his charges, and before the gentlemen, who had so long occupied the Treasury benches were going to be turned out, let the hon. gentlemen who expected to take their places show that they were prepared to take those places with clean hands. They were not prepared to forget all the past, to forget all that had been done for this country by the gentlemen who were not the leaders of the House, as they had been asked by the hon. member for Bruce South (Hon. Mr. Blake). He told the hon. gentlemen on the Opposition benches that they would give a triumphant vote upon this question, not merely a vote of confidence by their party, but a triumphant vote by a majority of the House. (*Ministerial cheers.*)

Hon. Mr. LAIRD rose amid loud applause from the Opposition. He said as the House was well aware, his Province was not a part of the Dominion of Canada when the charge was first made, and it seemed a very difficult position for members from Prince Edward Island, who never had a vote here, to give it upon a question of this description. At the same time, as they had now taken their seats in the House as members of Parliament, he thought that members would agree with him when he said that they would neither be faithful to their constituents nor to the sacred trust committed to them if they shirked the vote upon this question. For his part, he would have much preferred, had their elections been delayed by some possibility, and they should still have been outside of this House when this question came up for consideration. He would have been pleased indeed if, when the House met on the 13th of August, this matter had been finally disposed of.

However, being there, they must endeavour to take a proper view of the question before them, and he must say that he thought, considering its gravity, that the debate had not been altogether of that character which was desirable. He had heard some very fine rhetorical flourishes, and a very great deal of sophistry, and the concluding remarks of the last speaker (Hon. Mr. Cameron) were not such as they would like to hear in a discussion of this kind. It would be their duty, he thought, to set aside those flourishes and the cobwebs of sophistry, and get down to the substratum of facts.

When they came to look to the question as it stood before them, they found they had first to criticise the course of the Ministers with reference to prorogation, which, as well as the other matters, took place before Prince Edward Island was represented in this House. This question of prorogation had been so fully discussed by hon. members on both sides, that it was quite unnecessary for one to say anything in the matter further than to remark that prorogation was unquestionably the prerogative of His Excellency, and the House had nothing to do but submit to it. But when the First Minister declared that no business was to be done upon that occasion, and that the meeting was only to be *pro forma*, that declaration must have been upon his own responsibility, and not the declaration of His Excellency.

His Excellency had no power to dictate to the House what it should do. He had the power of prorogation, but when Parliament was met, he had no power to say whether it should be for business or whether it should not. The Minister must therefore assume the entire responsibility of that statement. It might be quite true, as was stated by the First Minister, that he had declared that when Parliament met on the 13th of August, it would be merely a *pro forma* meeting, but such a statement was not binding on the House unless there was an express resolution of Parliament declaring that such was to be the case, and he failed to see that there was any such resolution. Had it been the will of His Excellency that Parliament should be prorogued on the 13th of August, considering the state of public affairs, it would have been the duty of the Ministers to have called Parliament at some time previous to that date, so that this matter could have been disposed of. It was his opinion that the question of prorogation was one which they were not called upon to consider. It seemed rather strange, however, that when Parliament did meet on the 13th, the only business which the First Minister had promised to the House that is, the report of the Committee, was not preferred. The House met to have that report; no report was presented, and no report was read.

With regard to the question which arose from the proceedings out of Parliament, that is, the appointment of the Royal Commission, he considered that Parliament had a right to continue and conclude its own investigation. (*Cheers.*) It might be well to charge Commissions with examination into the conduct of officers under the Government, when charges are brought against them, but when the charges were brought against the Ministers themselves, he believed the proper place to conduct the investigation was the High Court of Parliament. (*Loud and prolonged cheers.*)

From what would appear from the proceedings, it was clear that when the House consented to the adjournment of Parliament to the 13th of August, it was upon the understanding that the charges would be entirely disposed of by the Committee, but it was well known to the Ministers that after the proceedings of the 2nd of July, this could not be done. From this, and the publication of these documents in the interval, after that committee had proved abortive, it seemed to him that it would have been well if the Ministers had given information to members that when Parliament met on the 13th the whole matter would come up for discussion and adjustment (*loud cheers*); and if thought necessary no doubt His Excellency would have changed the day of prorogation, but, as he understood it, there was no opportunity upon that occasion for an expression of the will of the members on the subject, their deliberations having been cut short by the appearance of the Black Rod.

The difficulty raised about the administration of oaths to witnesses before a Committee of this House, caused by the disallowance of the Oaths Bill, might have been got over by a special provision for the creation of Commissioners expressly for that purpose recommended or approved of by the House. Then the whole proceeding would have had—as it ought to have had—the sanction of Parliament. (*Loud cheers.*)

The circumstances were completely changed between the 2nd of July and the 13th of August, and the Ministry ought to have also changed their programme in reference to the investigation. The facts disclosed before the Commission were before the House in the blue book, and certainly the disclosures were neither few nor creditable. (*Cheers.*) He loathed the sight of that book. (*Loud cheers.*) They found from that book that in the autumn of 1871 Hon. Sir Francis Hincks, the then Minister of Finance, had recommended to Sir Hugh Allan a number of American gentlemen, who proposed to form a Company, and it was shown from the evidence that if the Minister of Finance had not urged the matter upon him, Sir Hugh Allan would have had nothing to do with the undertaking. (*Cheers.*) It had been contended that the Government were quite unaware of Sir Hugh's connection with the Americans, but how did he meet these gentlemen? At an interview with the Ministry. (*Cheers.*) Thus far, at least, the Government were aware that negotiations were pending between Sir Hugh Allan and these gentlemen. It was stated in this House that the Government heard no more of them but it was found that Sir Hugh Allan stated in his evidence that during the session of 1872 the Government were aware of these negotiations, although it was not contended that they had ever seen the agreement.

Sir Hugh Allan was encouraged by the Government to proceed, and in the December of the same year it was found that he had made arrangements with his American associates, at New York, at which certain shares were set down, as taken and certain names were given, and it was rather an extraordinary coincidence that the amount of both land and money grants which appeared in the Royal Charter were the very same as that agreed upon at that meeting in New York. (*Cheers.*) He pointed out that the percentage of the

million dollars to be subscribed was to be paid by the American capitalists, and not by Sir Hugh Allan. This, too, was a rather strange arrangement.

It was said in several parts of the evidence that there was an understanding in Parliament that no Americans should be admitted as members of the Company, but the two Acts passed incorporating the Companies do not bear out this assertion for they contain a provision not to exclude foreigners altogether, but that a majority of the Directors must be British subjects. Of course the whole Parliament was responsible for these Bills, but it seemed to him that if the Government had been so anxious to exclude the Americans, they missed the only opportunity of showing it.

It was a very remarkable thing that when Sir George-É. Cartier left Ottawa for Montreal and Hon. Sir John A. Macdonald for Toronto, it seemed to have been the last subject of conversation how they could get money to carry the elections. (*Cheers.*) And it appeared from evidence that the first suggestion about money came from the First Minister. (*Cheers.*) It did not appear that the application was made, however, until the arrangements were about to be made concerning the Pacific Railway matter. It seemed to be the ambition of Sir Hugh Allan to be the head of this Company, and on the 26th of July the First Minister took the responsibility of telegraphing him that the matter could be arranged to his satisfaction.

He adverted to the various communications that passed between the First Minister and Sir Hugh Allan, and said he believed that the member for Bruce South (Hon. Mr. Blake) had some grounds for supposing that there was a more definite agreement arrived at than had been made public. He also stated his belief that the signing of the money letter and the Railway letter by Sir George Cartier was part and parcel of the same transaction. It was stated that one of these documents had been withdrawn by the First Minister, when he came to learn its contents, but the member of Bruce South had contended, and the member for Cardwell (Hon. Mr. Cameron) had not been able to dispute the points of that contention, that it was not the agreement that was withdrawn, but the letter of Sir Hugh Allan and Hon. Sir John A. Macdonald. In further proof of the assertion that this agreement was not withdrawn, he pointed to the letters of Sir Hugh Allan of the 6th and 7th of July to his American associates.

He went on to argue that Sir Hugh Allan attached great importance to securing the Presidency of the Company, and it was established that he got the promise of the Presidency before he began to pay out money. He pointed out that notwithstanding the assertions that the agreement had been withdrawn, the letter of Sir Hugh Allan to the Interoceanic Company, written on the 5th of September, contained the self-same propositions with reference to amalgamation, which were embodied in that agreement, and added that the arrangement had received the sanction of the Government. It appeared quite clear that the Interoceanic Company had good reason to have some suspicion of the connection in which Sir Hugh Allan stood to the American capitalists, and when Sir Hugh Allan

was asked before the Royal Commission whether the agreement had been carried out or not, his reply was that it had been carried out as far as possible.

He drew attention to the fact that while the charter made provision for preventing undue influence falling into the hands of Sir Hugh Allan while the present Board existed, it had to be remembered that this Board was but a Provisional Board, and that the charter contained no such provision with reference to the permanent Board subsequently to be elected. (*Hear, hear.*)

He contended that the carrying of the elections by the influence of money was a subversion of the rights of the people. (*Cheers.*) And no matter whether the charges of sectionalism brought against the people of Ontario by the Ministers were founded in fact or not, nothing could justify the subversions of popular rights by any corrupt influence whatever. The admission made by the member for Pictou (Hon. Mr. McDonald) was rather an extra-ordinary one, especially as coming from one of the supporters of the Government. In the face of that fact, the Government refused last session to pass a more stringent election law.

He considered that the practice of spending money at elections ought to be put down with a high hand, and if the charges of expenditure which had been thrown broadcast against gentlemen on the Opposition benches were proved to be true, he was ready to vote for their expulsion. He did not believe that the people of Ontario were antagonistic to the people of the smaller provinces, and he considered the manner in which Ministerialists had brought this matter forward, was an evidence on their part of the worst sort of sectionalism, (*cheers*) but even if he did believe that the great central province entertained opinions that were at variance with the interests of the other provinces, and even if the influence of that province was sufficient to place the destinies of the others at its mercy, that was a matter which would soon right itself; at any rate it could never be righted by corrupting the electors with money.

He was therefore prepared to do his duty so far as the facts before him pointed that duty out; for these reasons he intended to vote for the amendment of the member for Lambton (Hon. Mr. Mackenzie). (*Cheers.*) The result of this vote, whichever way it might go, was one which at present claimed the attention of the whole world, and which would exercise a lasting influence upon the political morality and property of this country. (*Loud cheers.*) There were many appeals made to them as members of the outlying Provinces to vote for the Government. They were told to vote for the Government. They were told that the Opposition from Ontario were opposed to the interests of these Provinces, and that but for the Government Prince Edward Island would not have been today in the Confederation. He did not believe it.

It was quite true that the Government had been the means of bringing in that Province, but in so doing they were only acting in accordance with the will of the people of this country. (*Loud cheers.*) He stated the reasons for which Prince Edward Island had refused to come in at the beginning. They wanted to see how the

Confederation was to prosper. They found that it did prosper, that the country was growing in wealth and influence by rapid strides, and they were now asked to believe that all this was entirely on account of the Ministry. It may have been that the Government had done much to consolidate the union, but the Government could not have kept that prosperity back. It arose from the enterprise of the Prince Edward people, their great trade, and their extending commerce. (*Cheers.*) It might be that the Government had much to do with that, but it was equally true that no Government could remain in power whose policy did not foster and encourage the development of the country.

They were told that the policy of the Government towards Manitoba and British Columbia would be reversed if the Opposition came into power. For his part, as a member from an outlying Province, a Province which would reap no direct material benefit from the Pacific Railway, he desired to see it progressing as expeditiously as possible. He had no jealousy with regard to that matter; he did not know the opinions of the honourable gentlemen opposite on this question. In times past they might, as was alleged, have been opposed to it, but now it had been recognized by the country, and made part of the bargain with British Columbia. He had no doubt that the agreement would be faithfully preserved, in fact, it must be carried out, for it was as binding as the British America Act itself. He saw no reason for fear upon that ground.

He was of opinion that the terms granted Prince Edward Island were not so liberal as those given to Manitoba and British Columbia. He did not complain of the enormous expense in which the Pacific Railway would involve the Dominion, nor did he complain of the large amount that was spent in building the Intercolonial Railway; but he merely made this remark, that it could not be shown that the Government in any way particularly favoured Prince Edward Island.

It had been hinted that but for the Ministry of the day the terms would have been less liberal. He had looked very carefully over the papers from Canada, when that matter was pending in Parliament, and he failed to see one word which bore out that statement. He failed to observe a single motion against the terms granted, a single remark unfavourable to them. They were passed, only a very few explanations being asked. When the elections were taking place in his Province he for one had pledged himself, and he believed his *confrères* were bound by similar pledges, to hear the evidence, to weigh it, and to act according to his convictions as to what was right. He now intended to carry out that pledge. (*Loud cheers.*)

He had studied the history of the transactions as well as he could, he had heard the discussion; he had made up his mind, and he was ready to vote according to his conscience. Upon the decision that was given on this question would depend the future of the country, its intellectual progress, its political morality, and more than all, the integrity of its statesmen. (*Loud cheers.*)

Mr. HAGAR: Mr. Speaker, as I have never wearied the House with long and elaborate speeches, I trust it will bear with me while I make a few remarks. Lacking the essentials of the real debater, and

averse to public speaking, I should not at this late stage of the debate have trespassed upon the time of the House, did I not feel that the position I have occupied here, and the gravity and importance of the question now under discussion, demand from me something more than a silent vote; and, Sir, I must crave the indulgence of the House, if, in prefacing my remarks, I refer to matters personal to myself, which to me is most distasteful, but which seems necessary in order fully to explain my position.

Sir, I had the honour to occupy a seat in this House during the first Parliament of the Dominion. I came here as an independent member, and though a Liberal in sentiment, and feeling moderate in my views and anxious and willing to aid and assist the Government in every way consistent with my judgment, in perfecting and consolidating the new Confederation. To this second Parliament I was returned by acclamation, and again took my place as an independent member, a position which I am aware is looked upon with suspicion by many, ridiculed by some, sneered at by others, and by not a few considered as a notice that the occupant is for sale, to which political party may bid the highest. Sir, I deny and repudiate those imputations and insinuations, for although I grant there may be exceptions, I claim and believe the great majority of independent members of this House are as true to the convictions and their sense of duty as any class of their fellow members; and that all the fascinations of wealth, all the allurements of place and power, or the pressure of partizan supporters or constituents, could not tempt or force them to swerve from the path of rectitude and honour—and, Sir, amid this majority I claim a place.

I came here under no obligations to the Government, with no favours to ask, no ambitious longings for place or preferment to gratify, no needy friends, supporters, or relatives to provide for. Untrammelled by party feeling, and unpledged to political supporters. I did say I would not vote want of confidence where no principle was involved. I came here, not as a politician, but as a representative of the people; determined to do my duty to my constituents and the country to the best of my ability and judgment; to support measures rather than men, and with a friendly feeling towards the Government, inclined to support them in every measure that my conscience and my reason would allow. It was from this stand-point, with these feelings, and with an anxious and earnest desire that those charges might be disproved, that I have endeavoured calmly and dispassionately, unbiased by party feelings, and unblinded by partisan zeal or prejudice, to review the facts and evidence in the case, and to arrive at an honest and just decision and, Sir, to judge intelligently of the case, it is necessary one should keep in mind all the facts bearing upon or connected therewith.

Therefore, I must refer to the action of the Government during the last session of the First Parliament, when the hon. member for Durham West introduced a Bill to assimilate the election-law for the Dominion with that, then and now prevailing in the Province of Ontario; to that Bill I gave a most hearty support, feeling that on the eve of a general election the best interests of the country required it, and that its provisions would be fair alike to both political parties;

and, Sir, I was surprised and grieved to find the Government opposing and defeating it. Their reasons for so doing I then only suspected, but as seen by the light of after days, are now manifest and clear, for the First Minister of the Crown, with that sagacity, foresight, and tact for which he is remarkable, foresaw even then that it was necessary to the existence of his party and to his own retention of power that the Bill should not become law; and some of the fruits of that action may now be seen in the printed evidence before us, showing what lavish expenditure of money was employed in controlling the elections, and also in the fact that more than 50 election petitions were presented to you, Sir, upon the opening of Parliament, more than twenty of which are yet undecided, and may drag their slow length along for sessions yet to come, allowing them to sit here and vote.

I will not say on which side of you, Mr. Speaker; that is well known; those who, if the petitions against their return had been tried before the proper tribunal would not now, I believe, occupy seats in this House. Sir, as the events of that memorable session are now matters of history, and well known to the House and to the country. I shall only briefly allude to a few of the most important.

On the 2nd day of April, an hon. gentleman rose in his place in this House, and preferred charges against the Government of such a serious and startling nature that many refused to credit them, and I must confess that I thought the hon. gentleman had been misinformed, and that the evidence on which he relied would be disproved, and when an investigation was demanded, and without comment or discussion, a vote about to be taken thereon, which I am free to admit, I looked upon as vote of want of confidence, with doubt unremoved, and loyal to the promise to which I have referred, I voted with the Government; but a short time then elapsed, when I heard the First Minister in his place declare those charges were unfounded and utterly untrue and on his motion a Committee was appointed to report thereon.

Sir, I saw the action of this Committee delayed and hindered by a most wonderful combination of circumstances, brought about, as I now believe, by the accused Ministers, who, denying their guilt did not hasten to prove their innocence. Parliament was adjourned to the 13th day of August, a day henceforth memorable, then to receive the report of the Committee. The day arrived, a majority of the members of this House assembled, when the Ministry, trampling upon its rights and privileges, advised His Excellency to prorogue it. This, with haste, was done ere its Committee could be heard or any action taken, with a Parliament ejected from its Chambers, its Committee strangled, its rights ignored, and its powers defied. The accused Ministry then proceed to appoint their judges, and constituted a court to try themselves.

By the glimmering of truth evoked from this tribunal, and by the light obtained from that remarkable series of letters which had in the meantime appeared in the public press, signed by Sir Hugh Allan, and by his own affidavit admitted to be substantially correct; we have presented to us the wondrous, the humiliating spectacle, unparalleled in the history of any country where British laws and institutions prevail, of one man who, by the power of his wealth, his

instinctive knowledge of men and their value, his remarkable genius and skill in comprehending the situation, and knowing where and when to apply the powerful leverage of his almighty dollars, actually through a purchased and paid Executive, controlling the interests and affairs of this great Dominion. I saw this man, a contractor with the Government, who, as he said, looked upon the two political parties as factions, who had never been known to contribute but a trifle towards election contests, and who, in his long career, had never even voted but once before, now eager and anxious to add to his already overflowing wealth by obtaining this great contract, with its \$30,000,000 of money and 50,000,000 of acres of land; and, ambitious to connect his name with the greatest enterprise of the age, and to be known to posterity as the master spirit that controlled it, acknowledging on his oath that he had expended for the purpose of obtaining these ends, and on behalf of Ministers and their supporters, no less a sum than \$350,000, out of which the First Minister of the Crown confessed to have received, with two of his colleagues, \$162,000, and for what purpose? To control and influence the elections in their behalf, and to demoralize and corrupt the people.

But, Sir, before advancing that large sum, Sir Hugh, with that shrewdness and business tact characteristic of the man, demanded and obtained the promise of the charter and the presidency of the Company formed to construct the road, thus virtually controlling it, and when the money had been paid the promise was fulfilled. Sir, what conclusion, what verdict can be arrived at from all this but that Ministers have been guilty of a grave offence and misdemeanour, and are no longer worthy to occupy their high positions? Sir, I think I shall not be accused of hypocrisy or affectation when I say that, as a Canadian by birth, as a lover of my country, proud of her position and her prospects, sanguine as to the great future in store for her, jealous of her honour and her fame, and of the reputation and standing of her public men; I feel grieved and humiliated to render such a verdict, and,

Sad as angels for the good man's sin,

Weep to record and blush to give it in.

Sir, at the risk of wearying the House, I would refer to several of the reasons, or so-called arguments, generally advanced by the friends of the Government to palliate or excuse their conduct. The one generally first referred to is that the Opposition party have used money in their elections for corrupt purposes, and for equally guilty acts; and, therefore, Ministers should not be condemned. Sir, this charge against the Opposition had not been proved. When it is I shall be just as ready to condemn and punish them. At all events, it has not been charged that they sold a great public trust to obtain their money. This reason might as well apply to some prisoner in the dock who, charged with a serious crime, confesses his guilt but claims free pardon and exemption from punishment because, forsooth, as he states, some other person has committed a similar offence.

Another reason advanced is that a Government which has inaugurated and is now carrying to completion so many great public

works and improvements, so essential to the advancement of the country, deserves support. Sir, I feel these great works with their costly contracts and their expensive extras, have been used but as a means by Ministers to strengthen and secure their position. How many friends had been rewarded, favourites enriched, and opponents conciliated and converted through them would be difficult to tell, and, Sir, there are those even who seem to think that if this Government were overthrown, none other could be found to supply their places, and that if such a thing should occur, the prosperity, advancement and business of the country would almost cease; that the fruits of the earth would hardly mature, and that nature, paralysed by the shock, would almost forget her functions. Sir, the wealth and resources of the country, the energy, enterprise, and intelligence of our people are by many not fully understood or appreciated. I believe that, if by some sudden calamity every member in this House should be hurried into eternity, where another twelve months elapsed another session would find our places filled with perhaps wise and better men.

Mr. Speaker, it is not my province, even were I able, to endeavour to influence hon. gentlemen on this side of the House who support the Government, or to accuse those, as they have been accused, of wrong-doing and improper motives, or of betraying the high trust committed to their keeping. I shall not therefore dilate upon the purchase or the price of the memorable though perhaps mythical 27, or appeal to those, if any, against whom it has been charged that their only motive was self-interest, and that their support is given either on account of favours received or of benefits to be conferred.

I know, Sir, there are many honourable, high minded, and conscientious men who, from party fealty, love, attachment, and devotion to their chief, and that chivalrous feeling which forbids them to desert a friend in his extremity, will tenaciously cling to the waning fortunes of their party with a constancy and determination fixed and unchangeable. Sir, I respect and esteem these men; I only fear that they allow their feelings, to which I have referred, to blind them as to what in this grave crisis is due to their country and themselves; and, Sir, there are other equally honourable, high-minded and conscientious men who from a lofty sense of their duty, and from their honest and candid convictions, regardless of the taunts and invectives hurled against them, have stood nobly forth and dared to sever party ties and political associations. Mr. Speaker, I also honour and respect these men, and though they be accused of deserting their former party and principles, and, as it has been termed, hounding down and hunting, shall I say to his moral death, their former chief and leader, they can truly say, even were the latter assertions true, in the spirit of the noble Roman, "We have done it, not because we love Caesar less, but Rome more."

Mr. Speaker, if so calamitous a thing for the honour and standing of the country should occur, or which, though, I have little fear, that a majority of this House should be found to condone the offenses of the Government by supporting and sustaining them, I should indeed despair of my country did I not know and feel, the opinion of the hon. member for Pictou (Hon. Mr. McDonald) to the contrary

notwithstanding, that to the people whose servants we are, may be safely confided the task of redeeming the honour and reputation of our country. Sir, what I desire and believe the country demands is an honest, pure, and economical Government, composed of competent, high-minded and patriotic men, to whom the interests and honour of the country would be paramount to Party exigencies or Party triumphs and who would zealously, energetically and as speedily as the finances of the country would allow, push on to the completion the great works now under way or projected, and which the trade, the commerce, the development and settlement of the country require. Sir, to a Government so composed, I could give a hearty and generous support. Sir, I have done. I trust I have said nothing unparliamentary or disrespectful; if so it was unintentional. I have only expressed my honest and conscientious opinions and convictions, and entertaining those opinions and convictions I can no longer either countenance or support the Government of the day. (*Loud cheers.*)

Mr. SMITH (Selkirk) explained his position with reference to the Canada Pacific Railway Company, and said he had taken the ground that all the Directors should be British, and that no one Director should hold more than one proxy. With respect to the transactions between the Government and Sir Hugh Allan, he did not consider that the First Minister took the money with any corrupt motive. He knew that Sir Hugh Allan at one time looked so coldly upon the Railway enterprise that he really thought of giving up the charter. Sir Hugh had told him that if the proposition made was carried out, he would not accept it. In every instance that he knew of the provisions were made more and more stringent when against Sir Hugh Allan. (*Government cheers.*) He then referred to Manitoba affairs, and said that there was an unfortunate condition of things there. He felt that the leader of the Government was incapable of taking money from Allan for corrupt purposes.

He would be most willing to vote for the amendment of the member for Pictou (Hon. Mr. McDonald) (*loud Government cheers*) could he do so conscientiously. (*Opposition cheers and laughter.*) It was with very great regret that he felt he could not do so. He repeated that he did not believe there was any intention to give the charter to Sir Hugh Allan as a consideration for his money; but on the other hand, to take money from an expectant contractor, was a very grave impropriety. (*Cheers.*) For the honour of the country, no Government should exist that has a shadow of a suspicion of this kind resting on them, and for that reason he could not vote for the amendment of the member of Pictou. (*Cheers.*)

Hon. Mr. POPE (Prince County) did not think he would be discharging his duty in giving a silent vote. He believed the policy of the right hon. leader of the Government had done much to promote the interests of the country. He then entered upon a recital of the particulars of the Pacific Scandal, and concurred with the Government in the course they had taken.

He regretted that there should be any division amongst the members for Prince Edward Island, as he believed they would have been able to have accomplished much more in the interests of the

Province if they had been united. He did not consider that the evidence given before the Commission substantiated the charges brought against the Administration. He regretted that the First Minister should be mixed up in a matter of this kind, and he did not believe that the gentleman did a dishonest or corrupt act for the purpose of benefitting himself in any way. He then went on to eulogize the right hon. gentleman.

He asserted that the charges were based upon information improperly obtained, and upon papers which had been stolen. He deprecated the means by which the Opposition had endeavoured to get into power. This struggle, he maintained, was not in the interest of the country, but was brought about by a desire to obtain power. He expressed his intention of supporting the Government and voting for the amendment to the amendment proposed by the hon. member for Pictou (Hon. Mr. McDonald).

Mr. DODGE referred to the independent position in which he came to the House, and afterwards spoke of the energy displayed by the Government in the policy they had pursued. When he came to the House he had decided to give the Government his hearty support, and that he should stand faithfully by that decision until he saw some good reason to change these views. He rose to protest against the action which had been taken in the Scandal. He thought it would do much to damage the fair name of Canada to the world, and he could not help thinking the Opposition knew not what they were doing. What had the Government done that they should be treated worse than murderers? Gentlemen might laugh, but if he were in the place of the members of the Government, he would rather be carried out to the scaffold and be hanged, than have such infamous charges brought against him. He would vote for the amendment of the member for Pictou (Hon. Mr. McDonald), as he believed the adoption of that motion would be for the best interests of his adopted country.

Mr. DAVIES thanked the mover of the Address for the handsome manner in which he referred to the admission of Prince Edward Island into the Confederation. He was the only one of the original confederates who had succeeded in obtaining a seat in the House. Dominion politics were very little discussed. He considered with reference to the terms granted Prince Edward Island, that the Dominion would receive quite as much from that Island as they would have to pay in the way of subsidy. He had no hesitation in saying that they would have supported the Ministry on the general policy until they became more acquainted with the affairs of the Dominion, but this great question having come up, they felt they would have to support the amendment of the hon. member for Lambton. He did not think the matter should have been taken out of the hands of the House, and delegated to a Royal Commission. The Minister of Justice (Hon. Sir John A. Macdonald), however, had admitted sufficient, in his mind, to prove the charge. With regard to the prorogation of the House, he said it was understood that the supporting of the Government was conditional on their exoneration from the charge made against them. He could not conscientiously vote for the Government, and he considered it was their duty to endeavour to stamp this corruption out.

The Opposition members were anxious for a division when,

Mr. DALY rose and moved the adjournment of the debate.

Hon. Mr. MACKENZIE said he would like to know when the debate was likely to terminate.

Hon. Mr. TILLEY said he had no doubt it would be closed tomorrow. There were several members on that side who desired to speak.

The House adjourned at 1.30 a.m.

HOUSE OF COMMONS

Wednesday, November 5, 1873

The SPEAKER took the chair at 3 p.m.

Prayers

RESIGNATION OF THE GOVERNMENT

Mr. JONES rose to a question of privilege. He said on Monday last a respectable citizen of Ottawa, Alderman Heney, had a very serious charge brought against him, and was by order of the House taken into custody by the Sergeant-at-Arms. Since that time nothing had been done to bring him to trial, and he thought it was unjust that his case was not disposed of.

Hon. Sir JOHN A. MACDONALD said he supposed, as a matter of fact, that Mr. Heney was suffering no inconvenience from the fact of his being in custody of the Sergeant-at-Arms. He was known too well in the community to allow it to be supposed that any charge brought against him would injure or prejudice the previous good opinion entertained of him. His hon. friend might be satisfied that the House and the country would do Mr. Heney justice. Still, it was a matter of some complaint to a British subject that the hand of any legal officer should be laid upon his shoulder, and be told that he was in custody. He had no doubt redress would be given to Mr. Heney for the great wrong done him. However they would dispose of that hereafter.

At any rate he thought the House would leave the matter in abeyance for a few moments till he made an announcement he had to make. He had to announce that the Ministry had resigned.

The advisers of the Crown until yesterday, until last night, believed that they had a support in this House, with which they could not only meet any vote of want of confidence, but would enable them to carry on satisfactorily and creditably the affairs of the Government of this country. They have, from certain speeches

made in this House, and from certain communications, more or less formal, outside of this House, reason to believe that they have not at this moment a good working majority—(*Hon. Mr. Blake: Hear, hear*)—and the consequence was that I felt it my duty today to go to his Excellency the Governor General and to respectfully tender him the resignation of the present Government; and I have his authority, and I may repeat now what I stated two days ago, that no statement could be made by a Minister connected with any action of the Crown without the direct assent and consent of the Crown.

I have it, therefore, in charge from his Excellency to state that he has accepted the resignation of the present Administration, and I have his authority to state that he has sent for Hon. Mr. Mackenzie, the leader of the Opposition, to form a Government. (*Hear, hear.*) Therefore, I think, unless my hon. friend from Leeds and Grenville North (Mr. Jones) is of opinion that Mr. Heney is suffering in any way from the fact of its being known that he is nominally in custody of the Sergeant-at-Arms, that I have been quite in order in moving that this House do now adjourn.

Mr. WHITE (Halton) said he made his motion upon the statement of the member for Marquette (Mr. Cunningham), but he did it in the interest of justice, and had no desire that any guilt should attach to Mr. Heney till he was heard in his own defence.

Hon. Mr. CAUCHON suggested that the matter be referred to the Committee on Privileges and Elections.

Hon. Sir JOHN A. MACDONALD observed that it was the bounden duty of the expiring Administration to see that the incoming Administration had no embarrassments. He had been reminded since moving the adjournment that tomorrow was a holiday.

Hon. Mr. DORION (Napierville) said it was only a Provincial Thanksgiving Day, and did not bind this House.

The House then adjourned at 3.40 p.m. till three o'clock tomorrow.

HOUSE OF COMMONS

Thursday, November 6, 1873

The SPEAKER took the chair at 3 p.m.

Prayers

Several of the members had changed seats, Messrs. Hincks, Blanchet, Savary, and other Ministerialists sitting on the Opposition side. It was noticed that the seats of Messrs. Mackenzie, Blake, Holton, Dorion, Coffin, Smith (Westmorland), and others were vacant.

After routine proceedings,

Hon. Sir JOHN A. MACDONALD: I presume it is

in accordance with the ordinary practice under the circumstances, the Government having resigned, and Hon. Mr. Mackenzie having been sent for, that some communication would be made to this House from that side of the House, and we wait for that communication.

Mr. GEOFFRION: I have to state to the House that I have been requested by Hon. Mr. Mackenzie to state to the House that the formation of a new Ministry is in a state of progress, and to ask that the House adjourn. I therefore move the adjournment of the House.

Hon. Sir JOHN A. MACDONALD seconded the motion, which was agreed to.

The House adjourned till three o'clock p.m. tomorrow.

HOUSE OF COMMONS

Thursday, November 7, 1873

The **SPEAKER** took the chair at 3 p.m.

Prayers

Many of the members had changed their seats. In the front row on the Opposition side were Right Hon. Sir John A. Macdonald, and Messrs. Langevin, Cameron (Cardwell), Mitchell, McDonald (Pictou), Pope (Compton), Bowell, and Carling. Messrs. Tupper and Gibbs occupied seats on the second row. The members of the new Ministry were, of course, out of their seats, so were also Messrs. Tilley and McDonald (Antigonish). In the front seats on the Government side were Messrs. Holton, Huntington, Wood, and Cauchon.

* * *

PROROGATION

The **SPEAKER** read a letter from His Excellency's Secretary, informing the House that His Excellency would proceed to the Senate Chamber and prorogue the House at four o'clock this afternoon.

Hon. Sir JOHN A. MACDONALD said: I hear that announcement, and it is not unexpected. Not that I had any intimation before, but I suppose perhaps that would be the course taken by the incoming Government, and I am glad to find that there can be a prorogue without a breach of privilege. (*Opposition cheers.*) I am glad to find there will be no shouts of privilege on this occasion, because there is to be prorogation, but before that prorogation takes place, I have to remind this House that there is a British subject in the custody of this House, by order of this House, and we have got to see that justice is done to him. He ought to be brought to the Bar and be allowed to make his explanation. I move that the Sergeant-at-Arms bring Mr. Heney to the Bar.

Hon. Mr. HOLTON: Mr. Speaker in the absence of the gentlemen who are now responsible for the conduct of the public business of the country, I can only say I hope the right hon. gentleman will not persist in the motion he has made. It is quite impossible I apprehend that the House can proceed to judgment in this case without a previous examination of Mr. Heney, who has been summoned to our Bar, and possibly of other witnesses.

It is impossible that this examination can take place anterior to the hour that His Excellency has informed us that he will prorogue the House, but that prorogation will work the discharge, for the time being at least, of Mr. Heney, and the manifestly proper course is to

let him be thus discharged until the House meet again, and shall then determine what course to pursue, whether to proceed with the investigation that must precede a judgment, if an intelligent judgment is to be arrived at, or whether to proceed in the summary way now proposed. In less than half an hour more Mr. Heney will be discharged from further attendance upon this House until you resume your seat after prorogation. I can conceive, therefore, no reason whatever for consuming the brief space of time which will elapse before we be summoned to the Bar of the Senate. I had supposed the right hon. gentleman would have waited until after the ordinary routine—the reception of petition, which is the first privilege of the subject—before making this motion. I am bound to say that he intimated no intention of making this motion. I had intended following the routine proceeding of the House, to make the authorized statement respecting the formation of the new Administration.

I trust, therefore, that the right hon. gentleman will consent to the withdrawal of his motion, since the object he has in view, namely the present discharge of Mr. Heney, will be reached. He, surely, is not in the position to argue that there is no foundation whatever for the charge that is brought against Mr. Heney; he, surely, is not prepared to invite the warped judgment of this House upon the matter which he pronounces to be one of very great gravity, and therefore, Sir, I do hope we shall proceed with the dignity befitting the occasion, and not attempt to have, perhaps, an acrimonious debate for a few minutes upon a subject respecting which it would be impossible to reach a conclusion.

I shall however, to guard myself against the possibility of any course that might be taken by hon. gentlemen opposite, and while I have the floor, proceed to discharge the duty towards the members of the Administration not now in their places with which I have been charged. I have to inform you, upon the authority of Hon. Mr. Mackenzie, who, I have been informed, was charged by His Excellency the Governor General with the duty of forming a new Administration, consequent upon the retirement of Hon. Sir John A. Macdonald and his colleagues.

I say I am instructed by that hon. gentlemen with the duty of informing the House that he has extended the Commission entrusted to him by His Excellency the Governor General (*loud cheers*), and I have to submit to the House the names of the members of the new Administration, which are as follows:—Hon. Mr. Mackenzie, Minister of Public Works; Hon. Mr. Dorion (Napierville), Minister of Justice; Hon. Mr. Blake, member of the Privy Council without a Department; Hon. Mr. Smith (Westmorland), Minister of Marine and Fisheries; Hon. Mr. Letellier de St-Just, Minister of Agriculture; Hon.

Mr. Cartwright, Minister of Finance; Hon. Mr. Laird, Minister of the Interior; Hon. Mr. Christie, Secretary of State; Hon. Mr. Burpee (St. John), Minister of Customs; Hon. Mr. Macdonald (Glengarry), Postmaster General; Hon. Mr. Coffin, Receiver General; Hon. Mr. Ross (Victoria), Minister of Militia; Hon. Mr. Scott, member of the Privy Council without portfolio. (*Cheers.*) I propose to confine myself to the statement of the facts placed in my hands. It will be perceived that one department has yet to be filled up, to wit the Presidency of the Council. (*Loud cheers.*)

Hon. Sir JOHN A. MACDONALD: The announcement made by the hon. gentleman contains two or three matters to which some exception has to be made. It would, perhaps, be objected to that the hon. gentleman himself is not a member of the new Ministry, nor the hon. member who sits next him, the member for Halton (Mr. White). These members are both leading members of the party, stand equally high, and it is rather a matter of surprise that they have not been taken in.

There is another curious phase in the formation of this Government, and I protest against it. I protest against Hon. Mr. Blake being a member of the Government without portfolio. I protest against Mr. Scott on the same grounds. I say it is unconstitutional. There has been only one example of it, and that is the case of Lord Lansdowne, and that was a compliment to his age, he being a man of 90 years. This country wants no unpaid officers. This country wants, and is able, to pay every man for his services, and I would simply ask what the Government is going to do without Hon. Mr. Blake, and I would ask how long the Government would last without a representative Irish Catholic? It is absurd to suppose that Mr. Richard Scott, who has no portfolio, and who—I suppose, is *de facto*—head of the Government of Ontario, and is now to be a hanger-on in the Dominion Government without pay—will satisfy the Irish Roman Catholics of this Dominion but that is for them to say.

But there is one thing I have got to say further:—we have no right to keep Mr. Heney in custody without examination. That is a much more important matter for the liberty of the subject than the outgoing or incoming of a Ministry. That man is under a ban, and yet the hon. member for Châteauguay (Hon. Mr. Holton) states that it was a matter of no consequence, whether he is to remain under that ban for, perhaps, another year. He is to remain under that fake charge—and I, who know Alderman Heney, know it is a foul charge, and an untrue charge—a charge that nobody who knows Ald. Heney will believe for a single moment.

The hon. gentleman says we ought not to have a summary despatch of this matter. I think so too. I think that on every subject that comes before Parliament, we ought to have the deliberate judgment of members of Parliament after hearing the arguments on both sides of the House; and yet was there not a round robin signed, by which members of the House, the highest tribunal in the country, precluded themselves from coming to an honest and fair judgment with respect to the motion against the Government of which I was the head? (*Cheers.*) Is it not true that members signed a document

sacrificing their position as members of Parliament, giving up their freedom of judgment (*cheers*), disgracing and degrading themselves, and changing themselves from a free and High Court of Parliament to a body of conspirators? (*Loud cheers.*)

And that will be the feeling of this country. If a man was going to be tried by a jury for the smallest offence, would it be considered a fair jury if they had previously signed a paper by which they had given it, their verdict, before the accused had an opportunity to state his case? (*Hear, hear.*) Look at these gentlemen opposite. Look at this Parliament.

Hon. Mr. HOLTON: I rise to a question of order. The hon. gentleman is speaking to a motion that Alderman Heney be called to the Bar of the House; what connection is there between that motion and the speech he is making?

Hon. Sir JOHN A. MACDONALD: I rise to order.

Hon. Mr. HOLTON: I say it is disorderly.

Hon. Sir JOHN A. MACDONALD: I rise to order. (*Cheers, cries of "Order", and uproar.*)

The SPEAKER: The hon. member for Châteauguay (Hon. Mr. Holton) is speaking on the point of order; the member for Kingston (Hon. Sir John A. Macdonald) interrupts him upon another point of order. I do not remember any instance of a point of order within a point of order. (*Cheers and laughter.*) I think the hon. gentleman should be allowed to state his point of order before another point is raised.

Hon. Sir JOHN A. MACDONALD: It is a point of disorder. (*Cheers and cries of "Order".*)

Hon. Mr. HOLTON proceeded to state the point of order, and sustain it by argument.

Mr. SMITH (Selkirk) rose amid cries of "Order."

The SPEAKER said the hon. gentleman was quite in order.

Mr. SMITH (Selkirk): It has been mentioned by the right hon. gentleman that there was a conspiracy in this House. (*Cries of "Order" from the Opposition.*)

The SPEAKER: The hon. gentleman must speak to the point of order.

Mr. SMITH (Selkirk): I shall speak to the point of order. I will say that I myself did not sign any such round robin. (*Cries of "Order," and "Go on."*) He proceeded to make further remarks upon this point, but his voice was drowned by the general uproar.

The SPEAKER: The hon. gentleman is not in order. He is replying to the speech of the hon. gentleman from Kingston

(Hon. Sir John A. Macdonald). The question before the Chair is the point of order.

Hon. Mr. CAUCHON then rose, and contended that the member for Kingston was out of order. He proceeded in a highly humorous strain, and greatly to the amusement of the House, to speak to the question.

Hon. Mr. HUNTINGTON followed in a similar strain, and detained the House till the knock at the door of the Usher of the Black Rod was heard.

The Sergeant-at-Arms entered, and said: "A message from His Excellency the Governor General."

The SPEAKER: Let him be admitted.

The doors were then thrown open, and the Usher of the Black Rod entered, and having bowed thrice in his inimitable manner, said "His Excellency desires the attendance of the Hon. House in the Chamber of the Senate." The Speaker then proceeded to the Senate Chamber, followed by members.

Shortly after, His Excellency the **GOVERNOR GENERAL**

arrived. He was pleased to prorogue Parliament in the following words.—

Honorable Gentlemen of the Senate and Gentlemen of the House of Commons;

In consequence of the resignation of my late Ministers during the debate on the address I have called a fresh administration to my Council.

A large number of seats in the House of Commons having thus become vacant, I have decided with due regard to the circumstances of the case, that it will be most convenient in the interest of the public business to prorogue this Parliament.

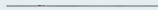
The SPEAKER: *Honorable Gentlemen of the Senate and Gentlemen of the House of Commons;*

It is His Excellency the Governor General's will and pleasure that this Parliament be prorogued until Wednesday the seventeenth day of December next, to be then here holden; and this Parliament is accordingly prorogued until Wednesday the seventeenth day of December next.

(END OF SESSION)

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Prepared under the direction of the
Library of Parliament

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